

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

C202309

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202309

WBS 45046.3.ST1 STM-0276(8)

T.I.P NO. R-5146

COUNTY OF TRANSYLVANIA  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 276 LENGTH 3.679 MILES  
LOCATION US-276 FROM THE PISGAH FOREST TO BREVARD.

CONTRACTOR APAC- ATLANTIC, INC. ASHEVILLE DIVISION  
ADDRESS P.O. BOX 6939  
ASHEVILLE, NC 28816

BIDS OPENED JUNE 16, 2009  
CONTRACT EXECUTION JUL 07 2009

**APAC-Atlantic, Inc. Asheville Division (4317).  
Vendor 1 of 2 Vendors for Call Order 036 (Proposal ID C202309).**

County: TRANSYLVANIA  
Address: P.O. Box 6939  
Asheville, NC 28816

Phone Number: (828) 665-1180

Signature Check: This bid has been properly signed by David\_B\_Caldwell\_4317.

Time Bid Received: Tue Jun 16 13:38:08 2009

Bid Checksum: 0C5E999C

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,970,105.15 ✓

Bond ID: SNC09637746

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$98,505.26

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 6/4/2009 1:46:06 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.

DBE GOAL SET 8.070  
DBE GOAL MET 8.670

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
2941	LAKE VIEW CONSTRUCTION & EQUIPM P. O. BOX 158 , PINEOLA, NC 28662		Sub	168,507.50
5534	HIGH COUNTRY HYDROSEEDING INCOR 276 SWEETWATER DRIVE , CANTON, NC 28716		Sub	28,687.50
			TOTAL:	\$168,507.50 8.55%

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: SNC09637746  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Liberty Mutual Insurance Company  
Bond Execution Date: 6/4/2009 1:46:06 PM  
Bond Amount: \$98,505.26 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 05-20-09  
Revised:

Contract ID: C202309 Project(s): STM-0276(8)  
Letting Date: 06-16-09 Call Order: 036  
Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

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		75,000.00
0002	0156000000-E REMOVAL OF EXISTING ASPHALT PAVEMENT	SY	869.000	8.00000	6,952.00
0003	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	35.000	50.00000	1,750.00
0004	0714000000-E 18" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	LF	280.000	50.00000	14,000.00
0005	0996000000-N PIPE CLEAN-OUT	EA	21.000	1,200.00000	25,200.00
0006	1220000000-E INCIDENTAL STONE BASE	TON	40.000	45.00000	1,800.00
0007	1245000000-E SHOULDER RECONSTRUCTION	SMI	7.480	5,000.00000	37,400.00
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY	54,395.000	1.30000	70,713.50
0009	1330000000-E INCIDENTAL MILLING	SY	1,250.000	4.00000	5,000.00
0010	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	4,585.000	60.00000	275,100.00
0011	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	8,508.000	43.00000	365,844.00

State of NC  
Dept of Transportation

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Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	5,970.000 TON	44.00000		262,680.00	
0013	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	954.000 TON	440.00000		419,760.00	
0014	2286000000-N MASONRY DRAINAGE STRUCTURES	9.000 EA	1,825.00000		16,425.00	
0015	2308000000-E MASONRY DRAINAGE STRUCTURES	3.500 LF	250.00000		875.00	
0016	2365000000-N FRAME WITH TWO GRATES, STD 840.22	19.000 EA	350.00000		6,650.00	
0017	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1.000 EA	575.00000		575.00	
0018	2407000000-N STEEL FRAME WITH TWO GRATES, STD 840.37	2.000 EA	1,450.00000		2,900.00	
0019	2549000000-E 2'-6" CONCRETE CURB & GUTTER	62.000 LF	40.00000		2,480.00	
0020	2577000000-E CONCRETE EXPRESSWAY GUTTER	25.000 LF	75.00000		1,875.00	
0021	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	3.000 EA	1,200.00000		3,600.00	
0022	2612000000-E 6" CONCRETE DRIVEWAY	70.000 SY	70.00000		4,900.00	
0023	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	410.000 SY	65.00000		26,650.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2815000000-N ADJUSTMENT OF DROP INLETS	EA 5.000	855.00000		4,275.00	
0025	2860000000-N CONVERT EXISTING CATCH BASIN TO JUNCTION BOX	EA 1.000	1,100.00000		1,100.00	
0026	2875000000-N CONVERT EXISTING CATCH BASIN TO DROP INLET	EA 13.000	1,100.00000		14,300.00	
0027	2995000000-N GENERIC DRAINAGE ITEM CONVERT EXIST OPEN THROAT CATCH BASIN TO CATCH BASIN	EA 1.000	1,100.00000		1,100.00	
0028	3030000000-E STEEL BM GUARDRAIL	LF 1,862.500	14.00000		26,075.00	
0029	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF 75.000	23.00000		1,725.00	
0030	3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (350, TL-2)	EA 5.000	1,800.00000		9,000.00	
0031	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	EA 6.000	2,100.00000		12,600.00	
0032	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA 1.000	500.00000		500.00	
0033	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	EA 9.000	600.00000		5,400.00	
0034	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 5.000	2,100.00000		10,500.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3360000000-E REMOVE EXISTING GUARDRAIL	287.500 LF	3.00000		862.50	
0036	4400000000-E WORK ZONE SIGNS (STATIONARY)	288.000 SF	6.00000		1,728.00	
0037	4405000000-E WORK ZONE SIGNS (PORTABLE)	96.000 SF	10.00000		960.00	
0038	4415000000-N FLASHING ARROW PANELS, TYPE C	2.000 EA	5,000.00000		10,000.00	
0039	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	10,000.00000		20,000.00	
0040	4430000000-N DRUMS	24.000 EA	35.00000		840.00	
0041	4480000000-N TMIA	2.000 EA	10,000.00000		20,000.00	
0042	4516000000-N SKINNY DRUM	200.000 EA	35.00000		7,000.00	
0043	4810000000-E PAINT PAVEMENT MARKING LINES (4")	165,660.000 LF	0.10000		16,566.00	
0044	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,800.000 LF	0.90000		1,620.00	
0045	4835000000-E PAINT PAVEMENT MARKING LINES (24")	2,358.000 LF	1.80000		4,244.40	
0046	4845000000-N PAINT PAVEMENT MARKING SYMBOL	132.000 EA	25.00000		3,300.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 305.000	30.00000		9,150.00	
0048	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		22,250.00	
0049	6000000000-E TEMPORARY SILT FENCE	LF 600.000	3.00000		1,800.00	
0050	6012000000-E SEDIMENT CONTROL STONE	TON 30.000	40.00000		1,200.00	
0051	6036000000-E MATTING FOR EROSION CONTROL	SY 16,325.000	1.75000		28,568.75	
0052	6042000000-E 1/4" HARDWARE CLOTH	LF 725.000	5.00000		3,625.00	
0053	6135000000-E GENERIC EROSION CONTROL ITEM SEEDING WITHOUT MULCH	ACR 3.000	1,600.00000		4,800.00	
0054	7000000000-E PEDESTRIAN SIGNAL HEAD (**", ** SECTION) (16", 1 SECTION W/ COUNTDOWN)	EA 2.000	1,000.00000		2,000.00	
0055	7060000000-E SIGNAL CABLE	LF 1,610.000	2.90000		4,669.00	
0056	7120000000-E VEHICLE SIGNAL HEAD (12", 3 SECTION)	EA 1.000	925.00000		925.00	
0057	7132000000-E VEHICLE SIGNAL HEAD (12", 4 SECTION)	EA 2.000	925.00000		1,850.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	7300000000-E UNPAVED TRENCHING (*****) (1, 2")	1,890.000 LF	6.30000		11,907.00	
0059	7301000000-E DIRECTIONAL DRILL (*****) (1, 2")	120.000 LF	16.00000		1,920.00	
0060	7324000000-N JUNCTION BOX (STANDARD SIZE)	24.000 EA	300.00000		7,200.00	
0061	7348000000-N JUNCTION BOX (OVER-SIZED, HEA-VY DUTY)	8.000 EA	400.00000		3,200.00	
0062	7396000000-E 1/2" RISER WITH WEATHERHEAD	1.000 EA	325.00000		325.00	
0063	7420000000-E 2" RISER WITH WEATHERHEAD	1.000 EA	450.00000		450.00	
0064	7444000000-E INDUCTIVE LOOP SAWCUT	4,968.000 LF	7.50000		37,260.00	
0065	7456000000-E LEAD-IN CABLE (*****) (14-2)	6,060.000 LF	1.75000		10,605.00	
0066	7624000000-N SIGNAL PEDESTAL WITH FOUNDATION	1.000 EA	1,000.00000		1,000.00	
0067	7636000000-N SIGN FOR SIGNALS	2.000 EA	300.00000		600.00	
0068	7684000000-N SIGNAL CABINET FOUNDATION	1.000 EA	600.00000		600.00	
0069	7756000000-N CONTROLLER WITH CABINET (TYPE 2070L, BASE MOUNTED)	1.000 EA	11,000.00000		11,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
0070	7780000000-N DETECTOR CARD (TYPE 2070L)	EA 7.000	125.00000		875.00	
0071	7901000000-N CABINET BASE EXTENDER	EA 1.000	500.00000		500.00	
Section 0001 Total						1,970,105.15
Bid Total						1,970,105.15

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.



## Contract Item Sheets For C202309

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	75,000.00	75,000.00
0002	0156000000-E	250	REMOVAL OF EXISTING ASPHALT PAVEMENT	869 SY	8.00	6,952.00
0003	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	35 TON	50.00	1,750.00
0004	0714000000-E	310	18" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	280 LF	50.00	14,000.00
0005	0996000000-N	350	PIPE CLEAN-OUT	21 EA	1,200.00	25,200.00
0006	1220000000-E	545	INCIDENTAL STONE BASE	40 TON	45.00	1,800.00
0007	1245000000-E	SP	SHOULDER RECONSTRUCTION	7.48 SMI	5,000.00	37,400.00
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	54,395 SY	1.30	70,713.50
0009	1330000000-E	607	INCIDENTAL MILLING	1,250 SY	4.00	5,000.00
0010	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	4,585 TON	60.00	275,100.00
0011	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	8,508 TON	43.00	365,844.00
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	5,970 TON	44.00	262,680.00
0013	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	954 TON	440.00	419,760.00
0014	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	9 EA	1,825.00	16,425.00
0015	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	3.5 LF	250.00	875.00
0016	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	19 EA	350.00	6,650.00
0017	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1 EA	575.00	575.00

## Contract Item Sheets For C202309

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2407000000-N	840	STEEL FRAME WITH TWO GRATES, STD 840.37	2 EA	1,450.00	2,900.00
0019	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	62 LF	40.00	2,480.00
0020	2577000000-E	846	CONCRETE EXPRESSWAY GUTTER	25 LF	75.00	1,875.00
0021	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	3 EA	1,200.00	3,600.00
0022	2612000000-E	848	6" CONCRETE DRIVEWAY	70 SY	70.00	4,900.00
0023	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	410 SY	65.00	26,650.00
0024	2815000000-N	858	ADJUSTMENT OF DROP INLETS	5 EA	855.00	4,275.00
0025	2860000000-N	859	CONVERT EXISTING CATCH BASIN TO JUNCTION BOX	1 EA	1,100.00	1,100.00
0026	2875000000-N	859	CONVERT EXISTING CATCH BASIN TO DROP INLET	13 EA	1,100.00	14,300.00
0027	2995000000-N	SP	GENERIC DRAINAGE ITEM CONVERT EXIST OPEN THROAT CATCH BASIN TO CATCH BASIN	1 EA	1,100.00	1,100.00
0028	3030000000-E	862	STEEL BM GUARDRAIL	1,862.5 LF	14.00	26,075.00
0029	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	75 LF	23.00	1,725.00
0030	3165000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** (350, TL-2)	5 EA	1,800.00	9,000.00
0031	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	6 EA	2,100.00	12,600.00
0032	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	500.00	500.00
0033	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	9 EA	600.00	5,400.00

## Contract Item Sheets For C202309

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0034	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	5 EA	2,100.00	10,500.00
0035	3360000000-E	863	REMOVE EXISTING GUARDRAIL	287.5 LF	3.00	862.50
0036	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	288 SF	6.00	1,728.00
0037	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	10.00	960.00
0038	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	5,000.00	10,000.00
0039	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	10,000.00	20,000.00
0040	4430000000-N	1130	DRUMS	24 EA	35.00	840.00
0041	4480000000-N	1165	TMIA	2 EA	10,000.00	20,000.00
0042	4516000000-N	1180	SKINNY DRUM	200 EA	35.00	7,000.00
0043	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	165,660 LF	0.10	16,566.00
0044	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,800 LF	0.90	1,620.00
0045	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	2,358 LF	1.80	4,244.40
0046	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	132 EA	25.00	3,300.00
0047	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	305 EA	30.00	9,150.00
0048	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	22,250.00	22,250.00
0049	6000000000-E	1605	TEMPORARY SILT FENCE	600 LF	3.00	1,800.00
0050	6012000000-E	1610	SEDIMENT CONTROL STONE	30 TON	40.00	1,200.00
0051	6036000000-E	1631	MATTING FOR EROSION CONTROL	16,325 SY	1.75	28,568.75
0052	6042000000-E	1632	1/4" HARDWARE CLOTH	725 LF	5.00	3,625.00

## Contract Item Sheets For C202309

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0053	6135000000-E	SP	GENERIC EROSION CONTROL ITEM SEEDING WITHOUT MULCH	3 ACR	1,600.00	4,800.00
0054	7000000000-E	1705	PEDESTRIAN SIGNAL HEAD (***, ** SECTION) (16", 1 SECTION W/ COUNTDOWN)	2 EA	1,000.00	2,000.00
0055	7060000000-E	1705	SIGNAL CABLE	1,610 LF	2.90	4,669.00
0056	7120000000-E	1705	VEHICLE SIGNAL HEAD (12", 3 SECTION)	1 EA	925.00	925.00
0057	7132000000-E	1705	VEHICLE SIGNAL HEAD (12", 4 SECTION)	2 EA	925.00	1,850.00
0058	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	1,890 LF	6.30	11,907.00
0059	7301000000-E	1715	DIRECTIONAL DRILL (*****) (1, 2")	120 LF	16.00	1,920.00
0060	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	24 EA	300.00	7,200.00
0061	7348000000-N	1716	JUNCTION BOX (OVER-SIZED, HEAVY DUTY)	8 EA	400.00	3,200.00
0062	7396000000-E	1722	1/2" RISER WITH WEATHERHEAD	1 EA	325.00	325.00
0063	7420000000-E	1722	2" RISER WITH WEATHERHEAD	1 EA	450.00	450.00
0064	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	4,968 LF	7.50	37,260.00
0065	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	6,060 LF	1.75	10,605.00
0066	7624000000-N	1743	SIGNAL PEDESTAL WITH FOUNDATION	1 EA	1,000.00	1,000.00
0067	7636000000-N	1745	SIGN FOR SIGNALS	2 EA	300.00	600.00
0068	7684000000-N	1750	SIGNAL CABINET FOUNDATION	1 EA	600.00	600.00
0069	7756000000-N	1751	CONTROLLER WITH CABINET (TYPE 2070L, BASE MOUNTED)	1 EA	11,000.00	11,000.00

Contract Item Sheets For C202309

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0070	7780000000-N	1751	DETECTOR CARD (TYPE 2070L)	7 EA	125.00	875.00
0071	7901000000-N	1753	CABINET BASE EXTENDER	1 EA	500.00	500.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,970,105.15

0805/Jun25/Q283043.98/D299510100000/E71

Contract Number C202309  
County Transylvania

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**

APAC-Atlantic Inc - Asheville Division

Full name of Corporation

PO Box 6939; Asheville, NC 28816

Address as Prequalified

Attest David B. Caldwell  
~~Secretary~~/Assistant Secretary  
Select appropriate title

By William H. Tomlinson  
President/~~Vice President~~/Assistant ~~Vice President~~  
Select appropriate title

David B. Caldwell

Print or type Signer's name

William H. Tomlinson

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

30<sup>th</sup> day of June 2009

Kimberly K. Sittton  
Signature of Notary Public Kimberly K. Sittton

of Buncombe County

State of North Carolina

My Commission Expires: Nov. 23 2013



## 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.

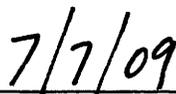
**Contract No**      **C202309**

**County (ies):**    **Transylvania**

**ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION**

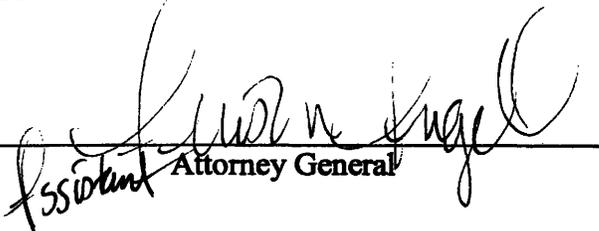


\_\_\_\_\_  
**Contract Officer**



\_\_\_\_\_  
**Date**

**Execution of Contract and Bonds  
Approved as to Form:**



\_\_\_\_\_  
**Assistant Attorney General**

Contract No. C202309  
 County TRANSYLVANIA

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution JUNE 26, 2009

Name of Principal Contractor APAC - ATLANTIC, INC. - ASHEVILLE DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$1,970,105.15

Contract ID No.: C202309

County Name: TRANSYLVANIA

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. C202309  
County TRANSYLVANIA

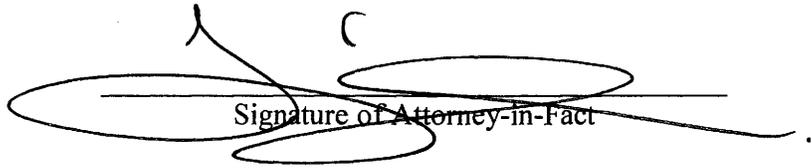
(Rev 7-10-08)

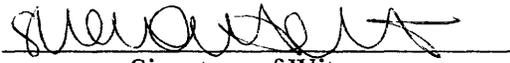
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

LIBERTY MUTUAL INSURANCE COMPANY  
\_\_\_\_\_  
Print or type Surety Company Name

By TINA DAVIS  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Witness

SHANNON HERBAT  
\_\_\_\_\_  
Print or type Witness's name

15 W. SOUTH TEMPLE, STE. 700  
SALT LAKE CITY, UT 84101  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202309  
County TRANSYLVANIA

(Rev 7-10-08)

**CONTRACT PAYMENT BOND  
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

APAC - ATLANTIC, INC. - ASHEVILLE DIVISION

\_\_\_\_\_  
Full name of Corporation

PO BOX 6939, ASHEVILLE, NC 28816

\_\_\_\_\_  
Address as prequalified

By William H. Tomlinson  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

William H. Tomlinson  
Print or type Signer's name

*Affix Corporate Seal*

Attest David B. Caldwell  
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

David B. Caldwell  
Print or type Signer's name

**SURETY ACKNOWLEDGMENT**

STATE OF UTAH                    }  
COUNTY OF SALT LAKE        } **SS**

On this 26th day of JUNE, 2009, before me personally came TINA DAVIS to me known, who, being by me duly sworn, did depose and say that she is an Attorney-In-Fact of LIBERTY MUTUAL INSURANCE COMPANY the corporation described in and which executed the within instrument; that she knows the corporate seal of said corporation, that the seal affixed to the within instrument is such corporate seal, and that she signed the said instrument and affixed the said seal as Attorney-In-Fact of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

  
\_\_\_\_\_  
Notary Public



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 TINA DAVIS, MARCINDA DRYSDALE, KIRIE MARTIN, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH ..

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 SEVENTY FIVE MILLION AND 00/100 DOLLARS (\$ 75,000,000.00) 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 18th day of March 2009.

LIBERTY MUTUAL INSURANCE COMPANY



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

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 18th day of March, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
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 26TH day of JUNE, 2009



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 1-810-892-0700 between 9:00 am and 4:00 pm EST on any business day

Contract No. C202309  
 County TRANSYLVANIA

(Rev 7-10-08)

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: JUNE 26, 2009

Name of Principal Contractor: APAC - ATLANTIC, INC. - ASHEVILLE DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$1,970,105.15

Contract ID No.: C202309

County Name: TRANSYLVANIA

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. C202309  
County TRANSYLVANIA

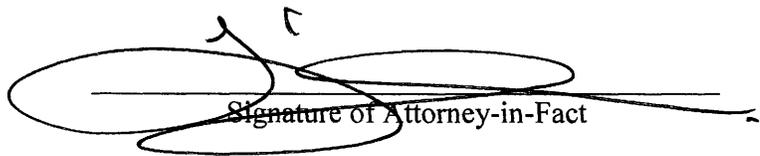
(Rev 7-10-08)

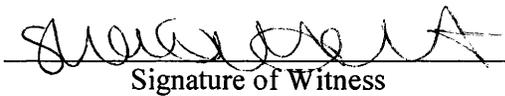
**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

LIBERTY MUTUAL INSURANCE COMPANY  
Print or type Surety Company Name

By TINA DAVIS  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

SHANNON HERBAT  
Print or type Witness's name

15 W. SOUTH TEMPLE, STE. 700  
SALT LAKE CITY, UT 84101  
Address of Attorney-in-Fact

Contract No.  
County

C202309

TRANSYLVANIA

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

APAC - ATLANTIC, INC. - ASHEVILLE DIVISION

Full name of Corporation

PO BOX 6939, ASHEVILLE, NC 28816

Address as prequalified

By William H. Tomlinson  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

William H. Tomlinson  
Print or type Signer's name

*Affix Corporate Seal*

Attest

David B. Caldwell  
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

David B. Caldwell  
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 TINA DAVIS, MARCINDA DRYSDALE, KIRIE MARTIN, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH ..

, 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 SEVENTY FIVE MILLION AND 00/100 DOLLARS (\$ 75,000,000.00) 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 18th day of March, 2009.

LIBERTY MUTUAL INSURANCE COMPANY

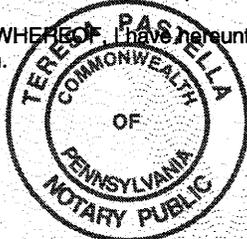


By Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 18th day of March, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 26TH day of JUNE, 2009



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.