

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

C202093

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202093

WBS 41884.3.ST1 STM-215(4)

T.I.P NO. W-5120

COUNTY OF TRANSYLVANIA, JACKSON
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 215 LENGTH 16.820 MILES
LOCATION NC-215 FROM US-64 TO THE HAYWOOD COUNTY LINE.

CONTRACTOR REYNOLDS FENCE & GUARDRAIL INC
ADDRESS 9320 MACHADO DRIVE
INDIAN TRAIL, NC 28079

BIDS OPENED AUGUST 18, 2009
CONTRACT EXECUTION SEP 16 2009

Reynolds Fence and Guardrail, Inc (3376).

Vendor 3 of 5 Vendors for Call Order 022 (Proposal ID C202093).

DBE GOAL SET 0.0%
DBE GOAL MET 0.0%

County: TRANSYLVANIA
 Address: 9320 Machado Drive
 Indian Trail, NC 28079
 Phone Number: 704-753-4992
 Signature Check: This bid has been properly signed by Nancy_Monteith_3376.
 Time Bid Received: Tue Aug 18 13:04:35 2009
 Bid Checksum: 753AF27A
 Amendment Count: 1
 Bidding Errors: No bidding errors ✓
 Bid Total: \$2,204,046.00 ✓
 Bond ID: SNC09808203
 Bond was Verified: Yes.
 Bond Required Percent: 5.00%
 Minimum Check Amount: \$110,202.30
 Bid Security Maximum: \$
 Bond Agency Name:
 Agency Execution Date: 8/18/2009
 Surety Name: The Argonaut Insurance Company
 Surety State of Incorporation:
 Bond Company:
 Bond Type:
 Bond Appr Flag:
 Bond Affirm:
 Bond was Paid by Check: No.

Miscellaneous Data Info - Contractor Responses:

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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: SNC09808203
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: The Argonaut Insurance Company
Bond Execution Date: 8/18/2009
Bond Amount: \$110,202.30 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 07-21-09
Revised: 08-06-09

Contract ID: C202093
Project(s): STM-215(4)
Letting Date: 08-18-09 Call Order: 022
Bidder: 3376 - Reynolds Fence and Guardrail, 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		105,000.00
0002	0255000000-E GENERIC GRADING ITEM SHOULDER REPAIR	TON	1,500.000	120.00000		180,000.00
0003	3360000000-E REMOVE EXISTING GUARDRAIL	LF	39,050.000	1.00000		39,050.00
0004	3420000000-E GENERIC GUARDRAIL ITEM WEATHERING STEEL BM GUARDRAIL WITH PAINTED LAPS	LF	73,000.000	17.50000		1,277,500.00
0005	3420000000-E GENERIC GUARDRAIL ITEM WEATHERING STEEL BM GUARDRAIL WITH PAINTED LAPS, SHOP CURVED	LF	5,100.000	22.00000		112,200.00
0006	3435000000-N GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	EA	20.000	35.00000		700.00
0007	3435000000-N GENERIC GUARDRAIL ITEM PAINTED EXTRA LENGTH GUARDRAIL POSTS	EA	50.000	40.00000		2,000.00
0008	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE 350	EA	83.000	3,000.00000		249,000.00
0009	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA	33.000	650.00000		21,450.00

State of NC
Dept of Transportation

Date: 07-21-09
Revised: 08-06-09

Contract ID: C202093
Letting Date: 08-18-09 Call Order: 022
Bidder: 3376 - Reynolds Fence and Guardrail, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0010	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE BIC	EA 42.000	2,500.00000		105,000.00	
0011	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE III MODIFIED	EA 5.000	2,350.00000		11,750.00	
0012	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 296.000	1.00000		296.00	
0013	4415000000-N FLASHING ARROW PANELS, TYPE C	EA 1.000	250.00000		250.00	
0014	4420000000-N CHANGEABLE MESSAGE SIGN	EA 2.000	250.00000		500.00	
0015	4430000000-N DRUMS	EA 50.000	1.00000		50.00	
0016	4435000000-N CONES	EA 50.000	1.00000		50.00	
0017	4455000000-N FLAGGER	MD 660.000	150.00000		99,000.00	
0018	4480000000-N TMIA	EA 1.000	250.00000		250.00	
	Section 0001 Total				2,204,046.00	
	Bid Total				2,204,046.00	

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	

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 C202093

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	105,000.00	105,000.00
0002	0255000000-E	SP	GENERIC GRADING ITEM SHOULDER REPAIR	1,500 TON	120.00	180,000.00
0003	3360000000-E	863	REMOVE EXISTING GUARDRAIL	39,050 LF	1.00	39,050.00
0004	3420000000-E	SP	GENERIC GUARDRAIL ITEM WEATHERING STEEL BM GUARDRAIL WITH PAINTED LAPS	73,000 LF	17.50	1,277,500.00
0005	3420000000-E	SP	GENERIC GUARDRAIL ITEM WEATHERING STEEL BM GUARDRAIL WITH PAINTED LAPS, SHOP CURVED	5,100 LF	22.00	112,200.00
0006	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	20 EA	35.00	700.00
0007	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED EXTRA LENGTH GUARDRAIL POSTS	50 EA	40.00	2,000.00
0008	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE 350	83 EA	3,000.00	249,000.00
0009	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE AT-1	33 EA	650.00	21,450.00
0010	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE BIC	42 EA	2,500.00	105,000.00
0011	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE III MODIFIED	5 EA	2,350.00	11,750.00
0012	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	296 SF	1.00	296.00
0013	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	1 EA	250.00	250.00
0014	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	250.00	500.00
0015	4430000000-N	1130	DRUMS	50 EA	1.00	50.00

Contract Item Sheets For C202093

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0016	4435000000-N	1135	CONES	50 EA	1.00	50.00
0017	4455000000-N	1150	FLAGGER	660 MD	150.00	99,000.00
0018	4480000000-N	1165	TMIA	1 EA	250.00	250.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,204,046.00 ✓

Contract Number C202093
County Transylvania / Jackson

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

Reynolds Fence & Guardrail, Inc.

Full name of Corporation

9320 Machado Drive, Indian Trail, NC 28079

Address as Prequalified

Attest

Tracy Jolly
Secretary/Assistant Secretary
Select appropriate title

By

Nancy Monteith
President/Vice President/Assistant Vice President
Select appropriate title

Tracy Jolly

Print or type Signer's name

Nancy Monteith

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

14th day of September 2009

Benjamin W. Covington
Signature of Notary Public

of Union County

State of North Carolina

My Commission Expires: 4-2-2011

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 **C202093**

County (ies): **Transylvania & Jackson**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer

9/16/09

Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202093
County Transylvania & Jackson

(Rev 7-10-08)

Bond No. SUR0000425

CONTRACT PAYMENT BOND

Date of Payment Bond Execution September 10, 2009

Name of Principal Contractor Reynolds Fence & Guardrail, Inc.

Name of Surety: Argonaut Insurance Company

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

Amount of Bond: Two Million Two Hundred Four Thousand Forty Six and 00/100 (\$2,204,046)

Contract ID No.: C202093

County Name: Transylvania & Jackson

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. C202093
County Transylvania & Jackson

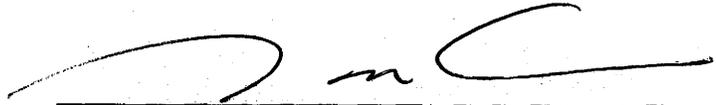
(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Argonaut Insurance Company
Print or type Surety Company Name

By Scott M. Adams, Attorney-In-Fact
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact

Kelly Brannan
Signature of Witness

Kelly Brannan, Witness as to Surety
Print or type Witness's name

240 Cedar Knolls Road, Cedar Knolls, NJ 07927
Address of Attorney-in-Fact

Contract No.
County

C202093
Transylvania & Jackson

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Reynolds Fence & Guardrail, Inc.

Full name of Corporation

9320 Machado Drive, Indian Trail, NC 28079

Address as prequalified

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

Nancy Monteith
Print or type Signer's name

Affix Corporate Seal

Attest

Tracy Jolly
Signature of Secretary, Assistant Secretary
Select appropriate title

Tracy Jolly
Print or type Signer's name

**Argonaut Insurance Company
225 W. Washington, 6th Floor
Chicago, IL 60606**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Scott M. Adams, Michele A. Dery

its true and lawful agent and attorney-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$15,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 15th day of September, 2008.

Argonaut Insurance Company

ME Arledge

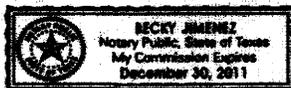
By: _____

Michael E. Arledge, President

STATE OF TEXAS
COUNTY OF BEXAR SS:

On this 15th day of September, 2008 A.D., before me, a Notary Public of the State of Texas, in and for the County of Bexar, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Bexar, the day and year first above written.



Becky Jimenez

(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, an Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 10th day of September, 2009.

Robert F. Thomas

Robert F. Thomas, Vice President

Contract No. C202093
County Transylvania & Jackson

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Argonaut Insurance Company
Print or type Surety Company Name

By Scott M. Adams, Attorney-In-Fact
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact

Kelly Brannan
Signature of Witness

Kelly Brannan, Witness as to Surety
Print or type Witness's name

240 Cedar Knolls Road, Cedar Knolls, NJ 07927
Address of Attorney-in-Fact

Contract No. C202093
County Transylvania & Jackson

(Rev 7-10-08)

Bond No. SUR0000425

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: September 10, 2009

Name of Principal Contractor: Reynolds Fence & Guardrail, Inc.

Name of Surety: Argonaut Insurance Company

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

Amount of Bond: Two Million Two Hundred, Four Thousand Forty Six and 00/100 (\$2,204,046)

Contract ID No.: C202093

County Name: Transylvania & Jackson

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. C202093
County Transylvania & Jackson

(Rev 7-10-08)

Bond No. SUR0000425

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Reynolds Fence & Guardrail, Inc.

Full name of Corporation

9320 Machado Drive, Indian Trail, NC 28079

Address as prequalified

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

NANCY MONTEITH
Print or type Signer's name

Affix Corporate Seal

Attest

Tracy Jolly
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

Tracy Jolly
Print or type Signer's name

**Argonaut Insurance Company
225 W. Washington, 6th Floor
Chicago, IL 60606**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Scott M. Adams, Michele A. Dery

its true and lawful agent and attorney-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$15,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary and Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 15th day of September, 2008.

Argonaut Insurance Company

ME Arledge

By: _____

Michael E. Arledge, President

STATE OF TEXAS
COUNTY OF BEXAR SS:

On this 15th day of September, 2008 A.D., before me, a Notary Public of the State of Texas, in and for the County of Bexar, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Bexar, the day and year first above written.



Becky Jimenez

(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, an Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 10th day of September, 2009.

Robert F. Thomas

Robert F. Thomas, Vice President