

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

C202588

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202588

WBS 45344.3.1 STPNHS-0025(27)

T.I.P NO. W-5214A

COUNTY OF HENDERSON  
THIS IS THE SAFETY IMPROVEMENTS CONTRACT  
ROUTE NUMBER US 25 LENGTH 5.578 MILES  
LOCATION US-25 FROM NORTH OF NC/SC STATE LINE TO SR-1858 (OLD  
ZIRCONIA RD).

CONTRACTOR HIGHWAY TECHNOLOGIES INC  
ADDRESS 880 N ADDISON ROAD  
VILLA PARK, IL 60181

BIDS OPENED MAY 18, 2010  
CONTRACT EXECUTION JUN 24 2010

**Highway Technologies Inc (12929).**

**Vendor 1 of 3 Vendors for Call Order 012 (Proposal ID C202588).**

County: HENDERSON  
Address: 7200 Jack Newell Blvd S  
Fort Worth, Texas 76118

Phone Number: 817 595 8885

Signature Check: This bid has been properly signed by Rob\_Everitt\_12929.

Time Bid Received: Tue May 18 13:04:27 2010

Bid Checksum: AE6A1695

Amendment Count: 0 DBE GOAL SET 3.0

Bidding Errors: No bidding errors DBE GOAL MET 33.0

Bid Total: \$350,029.00 ✓

Bond ID: SNC10502769

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$17,501.45

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/14/2010 12:36:04 PM

Surety Name: Argonaut Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3376	WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 115,425.00 ✓ arm
TOTAL:			\$115,425.00 ✓ arm 32.98%

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: SNC10502769  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Argonaut Insurance Company  
Bond Execution Date: 5/14/2010 12:36:04 PM  
Bond Amount: \$17,501.45 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 04-20-10  
Revised:

Contract ID: C202588      Project(s): STPNHS-0025(27)  
 Letting Date: 05-18-10    Call Order: 012  
 Bidder: 12929 - Highway Technologies 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		10,000.00
0002	2354000000-N FRAME WITH GRATE, STD 840.22	EA	2.000	400.00000		800.00
0003	2473000000-N GENERIC DRAINAGE ITEM DRAINAGE GRATE CLEAN-OUT	EA	15.000	250.00000		3,750.00
0004	2473000000-N GENERIC DRAINAGE ITEM REPAIR CONCRETE APRONS @ DIS	EA	16.000	850.00000		13,600.00
0005	2619000000-E 4" CONCRETE PAVED DITCH	SY	16.000	50.00000		800.00
0006	3030000000-E STEEL BM GUARDRAIL	LF	1,600.000	14.50000		23,200.00
0007	3060000000-E STEEL BM GUARDRAIL, DOUBLE FACED	LF	6,075.000	19.00000		115,425.00
0008	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA	5.000	50.00000		250.00
0009	3285000000-N GUARDRAIL ANCHOR UNITS, TYPE M-350	EA	1.000	1,700.00000		1,700.00
0010	3375000000-E REMOVE & STOCKPILE EXISTING GUARDRAIL	LF	660.000	2.00000		1,320.00
0011	3389400000-E DOUBLE FACED CABLE GUIDERAIL	LF	20,000.000	6.00000		120,000.00

State of NC  
Dept of Transportation

Date: 04-20-10  
Revised:

Contract ID: C202588 Project(s): STPNHS-0025(27)  
Letting Date: 05-18-10 Call Order: 012  
Bidder: 12929 - Highway Technologies Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	3389500000-N ADDITIONAL GUIDERAIL POSTS	EA 5.000	60.00000		300.00	
0013	3389600000-N CABLE GUIDERAIL ANCHOR UNITS	EA 26.000	1,450.00000		37,700.00	
0014	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 352.000	5.00000		1,760.00	
0015	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 128.000	8.00000		1,024.00	
0016	4415000000-N FLASHING ARROW PANELS, TYPE C	EA 2.000	100.00000		200.00	
0017	4420000000-N CHANGEABLE MESSAGE SIGN	EA 2.000	500.00000		1,000.00	
0018	4430000000-N DRUMS	EA 120.000	10.00000		1,200.00	
0019	4480000000-N TMIA	EA 2.000	750.00000		1,500.00	
0020	4516000000-N SKINNY DRUM	EA 160.000	5.00000		800.00	
0021	6012000000-E SEDIMENT CONTROL STONE	TON 150.000	60.00000		9,000.00	
0022	6042000000-E 1/4" HARDWARE CLOTH	LF 300.000	5.00000		1,500.00	
0023	6084000000-E SEEDING & MULCHING	ACR 1.000	3,200.00000		3,200.00	

State of NC  
Dept of Transportation

Date: 04-20-10  
Revised:

Contract ID: C202588

Project(s): STPNHS-0025(27)

Letting Date: 05-18-10 Call Order: 012

Bidder: 12929 - Highway Technologies Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
	Section 0001 Total				350,029.00	
	Bid Total				350,029.00	

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.



NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 DBE COMMITMENT ITEMS

DATE: 04-20-10  
 PAGE: 6

PROPOSAL: C202588  
 LETTING: L100518 CALL: 012  
 VENDOR: 12929 Highway Technologies Inc

-----  
 LINE ITEM            ITEM            UNIT SUBCONTRACTOR    SUBCONTRACTOR    EXTENDED  
 NO.    NO.            DESC.            TYPE QUANTITY            UNIT PRICE            AMOUNT  
 -----

DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC  
 Will Use Quote: Yes

0007	3060000000-E	SBGR DOUBLE LF	6075.000	19.00000	115425.00	
					-----	✓ am
		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:			115,425.00	
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )			115,425	

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	32.98% or	115425.00	✓ am
	Required:	3.00% or	10500.87	
			<GOAL MET>	

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	10,000.00	10,000.00
0002	2354000000-N	840	FRAME WITH GRATE, STD 840.22	2 EA	400.00	800.00
0003	2473000000-N	SP	GENERIC DRAINAGE ITEM DRAINAGE GRATE CLEAN-OUT	15 EA	250.00	3,750.00
0004	2473000000-N	SP	GENERIC DRAINAGE ITEM REPAIR CONCRETE APRONS @ DIS	16 EA	850.00	13,600.00
0005	2619000000-E	850	4" CONCRETE PAVED DITCH	16 SY	50.00	800.00
0006	3030000000-E	862	STEEL BM GUARDRAIL	1,600 LF	14.50	23,200.00
0007	3060000000-E	862	STEEL BM GUARDRAIL, DOUBLE FACED	6,075 LF	19.00	115,425.00
0008	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	50.00	250.00
0009	3285000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE M-350	1 EA	1,700.00	1,700.00
0010	3375000000-E	SP	REMOVE & STOCKPILE EXISTING GUARDRAIL	660 LF	2.00	1,320.00
0011	3389400000-E	865	DOUBLE FACED CABLE GUIDERAIL	20,000 LF	6.00	120,000.00
0012	3389500000-N	SP	ADDITIONAL GUIDERAIL POSTS	5 EA	60.00	300.00
0013	3389600000-N	865	CABLE GUIDERAIL ANCHOR UNITS	26 EA	1,450.00	37,700.00
0014	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	352 SF	5.00	1,760.00
0015	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	128 SF	8.00	1,024.00
0016	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	100.00	200.00
0017	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	500.00	1,000.00
0018	4430000000-N	1130	DRUMS	120 EA	10.00	1,200.00
0019	4480000000-N	1165	TMIA	2 EA	750.00	1,500.00
0020	4516000000-N	1180	SKINNY DRUM	160 EA	5.00	800.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0021	6012000000-E	1610	SEDIMENT CONTROL STONE	150 TON	60.00	9,000.00
0022	6042000000-E	1632	1/4" HARDWARE CLOTH	300 LF	5.00	1,500.00
0023	6084000000-E	1660	SEEDING & MULCHING	1 ACR	3,200.00	3,200.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$350,029.00 ✓

0932/May19/Q29639/D85191600000/E23

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN 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.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**SIGNATURE OF CONTRACTOR**

Highway Technologies Inc  
Full name of Corporation

880 N. Addison Road, Villa Park, IL 60181  
Address as Prequalified

Attest *Florian Smurlo* Secretary/Assistant Secretary  
Select appropriate title  
By *JM* President/Vice President/Assistant Vice President  
Select appropriate title

FLORIAN SMURLO  
Print or type Signer's name

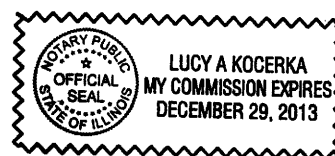
JEROME M. JURKIEWICZ  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
21<sup>st</sup> day of JUNE 2010  
*Lucy A Kocerka*  
Signature of Notary Public  
of DePaul County  
State of ILLINOIS  
My Commission Expires: 12 29 13

**NOTARY SEAL**



## 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**      **C202588**

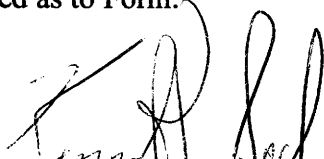
**County (ies):**    **Henderson**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

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

  
\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:

  
\_\_\_\_\_  
Attorney General

Contract No. C202588  
County Henderson

Rev 2-1-10

**CONTRACT PAYMENT BOND** *BOND # SUR*  
*0011299*

Date of Payment Bond Execution 6/10/2010  
Name of Principal Contractor Highway Technologies Inc  
Name of Surety: Argonaut Insurance Company  
Name of Contracting Body: North Carolina Department of Transportation  
Raleigh, North Carolina  
Amount of Bond: \$350,029.00  
Contract ID No.: C202588  
County Name: Henderson

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. C202588  
County Henderson

Rev 2-1-10

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

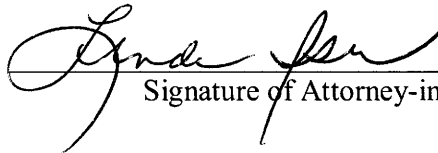
Argonaut Insurance Company

Print or type Surety Company Name

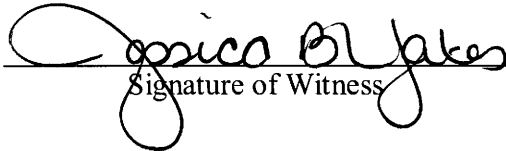
By

Linda Iser, Attorney In Fact

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



Signature of Attorney-in-Fact



Signature of Witness

JESSICA B. YATES  
Print or type Signer's name

200 E RANDOLPH  
CHICAGO, IL 60601

Address of Attorney-in-Fact

Contract No. C202588  
County Henderson

Rev 2-1-10

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Highway Technologies Inc

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

880 N. Addison Road, Villa Park, IL 60181

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

By

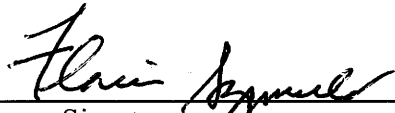
  
\_\_\_\_\_  
Signature of President, Vice President, Assistant Vice President  
*Select appropriate title*

JEROME M. JURKIEWICZ

Print or type Signer's name

*Affix Corporate Seal*

Attest



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

FLORIAN SZMURLO

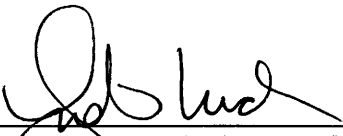
Print or type Signer's name

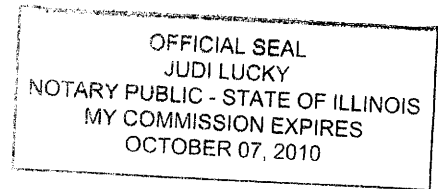
ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS  
COUNTY OF COOK

On this 10<sup>th</sup> day of June 2010, before me, Judi Lucky, a Notary Public, within and for said County and State, personally appeared Linda M. Iser to me personally known to be the Attorney-in-Fact of Argonaut Insurance Company and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public in the State of Illinois  
County of Cook



**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:

Geoffrey E. Heekin, Karen Daniel, Linda Iser, Marcia K. Cesafsky, Patricia M. Doyle, Richard A. Moore, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Thomas J. Joslin

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, 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

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.



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, 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 10<sup>th</sup> day of June 2010

Robert F. Thomas Vice President

Contract No. C202588  
County Henderson

Rev 2-1-10

BOND #  
SUR 0011299

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: 6/10/2010  
Name of Principal Contractor: Highway Technologies Inc  
Name of Surety: Argonaut Insurance Company  
Name of Contracting Body: North Carolina Department of Transportation  
Raleigh, North Carolina  
Amount of Bond: \$350,029.00  
Contract ID No.: C202588  
County Name: Henderson

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. C202588  
County Henderson

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

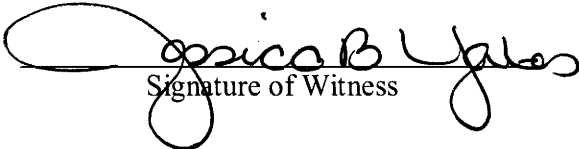
*Affix Seal of Surety Company*

Argonaut Insurance Company

Print or type Surety Company Name

By Linda Iser, Attorney In Fact  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

Jessica B. Yates  
Print or type Signer's name

200 E RANDOLPH  
CHICAGO, IL 60601  
Address of Attorney-in-Fact

Contract No. C202588  
County Henderson

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

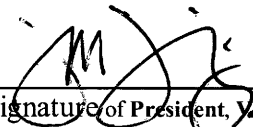
SIGNATURE OF CONTRACTOR (Principal)

Highway Technologies Inc

Full name of Corporation

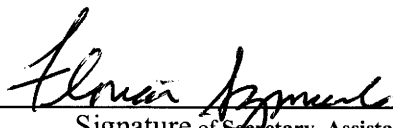
880 N. Addison Road, Villa Park, IL 60181

Address as prequalified

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

JEROME M. JURKIEWICZ  
Print or type Signer's name

*Affix Corporate Seal*

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

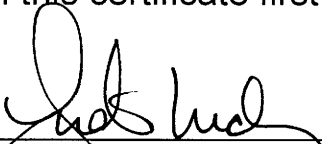
FLORIAN SZMURLO  
Print or type Signer's name

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS  
COUNTY OF COOK

On this 10<sup>th</sup> day of June 2010, before me, Judi Lucky, a Notary Public, within and for said County and State, personally appeared Linda M. Iser to me personally known to be the Attorney-in-Fact of Argonaut Insurance Company and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public in the State of Illinois  
County of Cook

OFFICIAL SEAL  
JUDI LUCKY  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES  
OCTOBER 07, 2010



**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:

Geoffrey E. Heekin, Karen Daniel, Linda Iser, Marcia K. Cesafsky, Patricia M. Doyle, Richard A. Moore, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Thomas J. Joslin

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, 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

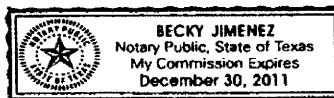
By: \_\_\_\_\_

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.



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, 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 10<sup>th</sup> day of June 2010

Robert F. Thomas Vice President