

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

C202553

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202553

WBS 33794.3.1 BRZ-1518(2)

T.I.P NO. B-4610

COUNTY OF RANDOLPH

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1518 LENGTH 0.222 MILES

LOCATION BRIDGE #73 OVER LAKE LUCAS AND APPROACHES ON SR-1518.

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

ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED JUNE 15, 2010

CONTRACT EXECUTION JUL 12 2010

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

Vendor 4 of 6 Vendors for Call Order 008 (Proposal ID C202553).

County: RANDOLPH
Address: P. O. B ox 7168
Statesville, NC 28687

Phone Number: 704-924-8646

Signature Check: This bid has been properly signed by Kevin_C._Burns_3481.

Time Bid Received: Tue Jun 15 13:40:10 2010

Bid Checksum: 58DC560E

Amendment Count: 0

DBE GOAL SET 7.0

Bidding Errors: This bid contains errors.

Bid Total: \$1,526,459.43 ✓

DBE GOAL MET 6.8

Bond ID: SNC10511380

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$76,322.97

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 6/4/2010 10:33:37 AM

Surety Name: Liberty Mutual Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

NCDOT/berc

Vendor 3481's Load Output for Call 008, Letting L100615, 2010-06-15

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10511380
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 6/4/2010 10:33:37 AM
Bond Amount: \$76,322.97 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 05-18-10
Revised:

Contract ID: C202553 Project(s): BRZ-1518(2)
Letting Date: 06-15-10 Call Order: 008
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			75,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (19+00)	LUMP	LUMP			9,000.00
0003	0038000000-E SHALLOW UNDERCUT	CY	50.000	6.00000		300.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	250.000	5.00000		1,250.00
0006	0063000000-N GRADING	LUMP	LUMP			56,385.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	100.000	20.00000		2,000.00
0008	0106000000-E BORROW EXCAVATION	CY	3,050.000	8.75000		26,687.50
0009	0134000000-E DRAINAGE DITCH EXCAVATION	CY	160.000	7.00000		1,120.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	400.000	2.00000		800.00

State of NC
Dept of Transportation

Date: 05-18-10
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0220000000-E ROCK EMBANKMENTS	2,700.000 TON	21.00000		56,700.00	
0012	0223000000-E ROCK PLATING	875.000 SY	27.00000		23,625.00	
0013	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	250.000 CY	1.00000		250.00	
0014	0241000000-E GENERIC GRADING ITEM FILTER FABRIC FOR ROCK EMBANKMENTS	650.000 SY	2.00000		1,300.00	
0015	0320000000-E FOUNDATION CONDITIONING FABRIC	110.000 SY	2.00000		220.00	
0016	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATERIAL, MINOR STRS	40.000 TON	27.00000		1,080.00	
0017	0335200000-E 15" DRAINAGE PIPE	148.000 LF	38.00000		5,624.00	
0018	0448200000-E 15" RC PIPE CULVERTS, CLASS IV	156.000 LF	42.00000		6,552.00	
0019	1077000000-E #57 STONE SELECT MATERIAL, CLASS (VI)	950.000 TON	22.50000		21,375.00	
0020	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	1,050.000 TON	47.50000		49,875.00	
0021	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	500.000 TON	53.00000		26,500.00	

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Date: 05-18-10
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	78.000 TON	580.00000		45,240.00	
0023	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	50.000 TON	100.00000		5,000.00	
0024	2000000000-N RIGHT OF WAY MARKERS	11.000 EA	200.00000		2,200.00	
0025	2286000000-N MASONRY DRAINAGE STRUCTURES	5.000 EA	1,700.00000		8,500.00	
0026	2308000000-E MASONRY DRAINAGE STRUCTURES	1.800 LF	265.00000		477.00	
0027	2367000000-N FRAME WITH TWO GRATES, STD 840.29	5.000 EA	450.00000		2,250.00	
0028	2556000000-E SHOULDER BERM GUTTER	315.000 LF	22.00000		6,930.00	
0029	3030000000-E STEEL BM GUARDRAIL	400.000 LF	13.00000		5,200.00	
0030	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	10.00000		50.00	
0031	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	975.00000		3,900.00	
0032	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,700.00000		6,800.00	
0033	3360000000-E REMOVE EXISTING GUARDRAIL	450.000 LF	0.10000		45.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3628000000-E RIP RAP, CLASS I	25.000 TON	38.00000		950.00	
0035	3649000000-E RIP RAP, CLASS B	35.000 TON	38.00000		1,330.00	
0036	3656000000-E FILTER FABRIC FOR DRAINAGE	1,355.000 SY	1.50000		2,032.50	
0037	4400000000-E WORK ZONE SIGNS (STATIONARY)	297.000 SF	5.40000		1,603.80	
0038	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	94.000 SF	6.85000		643.90	
0039	4445000000-E BARRICADES (TYPE III)	96.000 LF	18.50000		1,776.00	
0040	4810000000-E PAINT PAVEMENT MARKING LINES (4")	9,320.000 LF	0.19000		1,770.80	
0041	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	17.000 EA	4.50000		76.50	
0042	6000000000-E TEMPORARY SILT FENCE	500.000 LF	1.68000		840.00	
0043	6006000000-E STONE FOR EROSION CONTROL, CLASS A	225.000 TON	24.00000		5,400.00	
0044	6009000000-E STONE FOR EROSION CONTROL, CLASS B	170.000 TON	24.00000		4,080.00	
0045	6012000000-E SEDIMENT CONTROL STONE	345.000 TON	20.00000		6,900.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	6015000000-E TEMPORARY MULCHING	4.500 ACR	400.00000		1,800.00	
0047	6018000000-E SEED FOR TEMPORARY SEEDING	175.000 LB	3.00000		525.00	
0048	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.750 TON	1,200.00000		3,300.00	
0049	6024000000-E TEMPORARY SLOPE DRAINS	375.000 LF	8.00000		3,000.00	
0050	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	5.000 EA	125.00000		625.00	
0051	6029000000-E SAFETY FENCE	1,050.000 LF	1.58000		1,659.00	
0052	6030000000-E SILT EXCAVATION	485.000 CY	2.00000		970.00	
0053	6036000000-E MATTING FOR EROSION CONTROL	8,500.000 SY	1.10000		9,350.00	
0054	6037000000-E COIR FIBER MAT	40.000 SY	4.50000		180.00	
0055	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	1,100.000 SY	5.40000		5,940.00	
0056	6042000000-E 1/4" HARDWARE CLOTH	675.000 LF	3.60000		2,430.00	
0057	6048000000-E FLOATING TURBIDITY CURTAIN	525.000 SY	15.50000		8,137.50	

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			Dollars	Cts	Dollars	Ct
0058	6070000000-N SPECIAL STILLING BASINS	8.000 EA	210.56000		1,684.48	
0059	6071010000-E WATTLE	530.000 LF	8.60000		4,558.00	
0060	6071020000-E POLYACRYLAMIDE (PAM)	135.000 LB	17.50000		2,362.50	
0061	6071030000-E COIR FIBER BAFFLES	260.000 LF	6.00000		1,560.00	
0062	6071050000-E **" SKIMMER (1-1/2")	4.000 EA	900.00000		3,600.00	
0063	6084000000-E SEEDING & MULCHING	6.500 ACR	1,000.00000		6,500.00	
0064	6087000000-E MOWING	3.500 ACR	38.00000		133.00	
0065	6090000000-E SEED FOR REPAIR SEEDING	75.000 LB	10.00000		750.00	
0066	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.500 TON	1,400.00000		700.00	
0067	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	75.000 LB	1.20000		90.00	
0068	6108000000-E FERTILIZER TOPDRESSING	2.000 TON	740.00000		1,480.00	
0069	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	38.00000		380.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0070	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
Section 0001 Total						541,366.48

Section 0004 STRUCTURE ITEMS

Alt Group

0071	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (19+00.00-L-)	LUMP	LUMP		100,000.00	
0072	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (19+00.00-L-)	LUMP	LUMP		40,000.00	
0073	8105540000-E 3'-6" DIA DRILLED PIERS IN SOIL	136.000 LF	445.00000		60,520.00	
0074	8105640000-E 3'-6" DIA DRILLED PIERS NOT IN SOIL	34.000 LF	1,160.00000		39,440.00	
0075	8111400000-E PERMANENT STEEL CASING FOR 3'-6" DIA DRILLED PIER	104.000 LF	250.00000		26,000.00	
0076	8113000000-N SID INSPECTION	1.000 EA	600.00000		600.00	
0077	8115000000-N CROSSHOLE SONIC LOGGING	1.000 EA	2,000.00000		2,000.00	
0078	8182000000-E CLASS A CONCRETE (BRIDGE)	82.900 CY	600.00000		49,740.00	

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			Dollars	Cts	Dollars	Ct
0079	8210000000-N BRIDGE APPROACH SLABS, STATION***** (19+00.00-L-)	LUMP	LUMP			15,000.00
0080	8217000000-E REINFORCING STEEL (BRIDGE)	24,386.000 LB	0.95000			23,166.70
0081	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	3,981.000 LB	3.75000			14,928.75
0082	8364000000-E HP12X53 STEEL PILES	340.000 LF	45.00000			15,300.00
0083	8505000000-E VERTICAL CONCRETE BARRIER RAIL	475.500 LF	45.00000			21,397.50
0084	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			7,000.00
0085	8753200000-E 3'-0" X 3'-3" PRESTRESSED CONCBOX BEAMS	2,850.000 LF	200.00000			570,000.00
	Section 0004 Total					985,092.95
	Bid Total					1,526,459.43

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:05-18-10
PAGE: 11

PROPOSAL: C202553
LETTING: L100615 CALL: 008
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

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

DBE SUBCONTRACTOR: 5487 ATLANTIC CONTRACTING COMPANY, INC.
Will Use Quote: Yes

0028	2556000000-E	SHOULDER BER LF	315.000	22.00000	6930.00	

		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:			6,930.00	✓ am
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)			6,930.0	

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
Will Use Quote: Yes

0037	4400000000-E	WORK ZONE SI SF	297.000	4.50000	1336.50	
0038	4410000000-E	WORK ZONE SI SF	94.000	6.85000	643.90	
0039	4445000000-E	BARRICADES (LF	96.000	18.50000	1776.00	

		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:			3,756.40	✓ am
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)			3,756.4	

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.
Will Use Quote: Yes

0083	8505000000-E	VERT CONC BA LF	475.500	24.89000	11835.20	

		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:			11,835.20	✓ am
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)			11,835.	

DBE SUBCONTRACTOR: 3346 LINEBERRY, INC.
Will Use Quote: Yes

0042	6000000000-E	TEMPORARY SI LF	500.000	1.68000	840.00	
0046	6015000000-E	TEMPORARY MU ACR	4.500	400.00000	1800.00	
0047	6018000000-E	SEED FOR TEM LB	175.000	3.00000	525.00	
0048	6021000000-E	FERT FOR TEM TON	2.750	1200.00000	3300.00	
0051	6029000000-E	SAFETY FENCE LF	1050.000	1.58000	1659.00	
0053	6036000000-E	MATTING FOR SY	8500.000	1.10000	9350.00	
0054	6037000000-E	COIR FIBER M SY	40.000	4.50000	180.00	
0055	6038000000-E	PERM SOIL RE SY	1100.000	5.40000	5940.00	
0056	6042000000-E	1/4" HARDWAR LF	675.000	3.60000	2430.00	
0059	6071010000-E	WATTLE LF	530.000	8.60000	4558.00	
0060	6071020000-E	POLYACRYLAMI LB	135.000	17.50000	2362.50	
0064	6087000000-E	MOWING ACR	3.500	38.00000	133.00	
0063	6084000000-E	SEEDING AND ACR	6.500	1643.00000	10679.50	
0065	6090000000-E	SEED FOR REP LB	75.000	10.00000	750.00	
0066	6093000000-E	FERT FOR REP TON	0.500	1400.00000	700.00	
0067	6096000000-E	SEED FOR SUP LB	75.000	1.20000	90.00	
0069	6114500000-N	SPECIALIZED MHR	10.000	38.00000	380.00	
0070	6117000000-N	RESPONSE FOR EA	12.000	50.00000	600.00	

Check: 58DC560E Page 11

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:05-18-10
PAGE: 12

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
0068	6108000000-E	FERTILIZER T	TON	2.000	740.00000	1480.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						47,757.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						47,757.	
DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC Will Use Quote: Yes							
0029	3030000000-E	STL BM GUARD	LF	400.000	13.00000	5200.00	
0030	3150000000-N	ADDIT GUARDR	EA	5.000	10.00000	50.00	
0031	3215000000-N	GR ANCHOR TY	EA	4.000	975.00000	3900.00	
0032	3270000000-N	GR ANCHOR TY	EA	4.000	1700.00000	6800.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						15,950.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						15,950.	
DBE SUBCONTRACTOR: 1991 MCCAIN STRIPING SERVICE, INC. Will Use Quote: Yes							
0001	0000100000-N	MOBILIZATION	LS	1.000	500.00000	500.00	
0040	4810000000-E	PAINT PVMT M	LF	9320.000	0.19000	1770.80	
0041	4900000000-N	PERM RAISED	EA	17.000	4.50000	76.50	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						2,347.30	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						2,347.3	
DBE SUBCONTRACTOR: 4260 JORGE AGUILA CARRILLO DBA AGUILA'S MASONRY SERVICE Will Use Quote: Yes							
0025	2286000000-N	MASNRY DRAIN	EA	5.000	915.00000	4575.00	
0026	2308000000-E	MASNRY DRAIN	LF	1.800	171.00000	307.80	
0027	2367000000-N	FRAME W/2GRT	EA	5.000	450.00000	2250.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						7,132.80	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						7,132.8	
DBE SUBCONTRACTOR: 8142 ATLANTIC REBAR CONTRACTORS LLC Will Use Quote: Yes							
0079	8210000000-N	BRG APPR SLA	LS	1.000	1072.00000	1072.00	
TIE REBAR							
0080	8217000000-E	REINF STEEL	LB	24386.000	0.20000	4877.20	
0081	8238000000-E	SPIRAL COL R	LB	3981.000	0.20000	796.20	
0083	8505000000-E	VERT CONC BA	LF	475.500	3.62800	1725.11	
TIE REBAR							
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						8,470.51	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						8,470.5	

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 6.82% or 104179.21 ✓^{am}
Required: 7.00% or 106852.16
<GOAL NOT MET>

Contract Item Sheets For C202553

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	75,000.00	75,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (19+00)	Lump Sum LS	9,000.00	9,000.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	50 CY	6.00	300.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	250 CY	5.00	1,250.00
0006	0063000000-N	SP	GRADING	Lump Sum LS	56,385.00	56,385.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	100 TON	20.00	2,000.00
0008	0106000000-E	230	BORROW EXCAVATION	3,050 CY	8.75	26,687.50
0009	0134000000-E	240	DRAINAGE DITCH EXCAVATION	160 CY	7.00	1,120.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	400 SY	2.00	800.00
0011	0220000000-E	SP	ROCK EMBANKMENTS	2,700 TON	21.00	56,700.00
0012	0223000000-E	SP	ROCK PLATING	875 SY	27.00	23,625.00
0013	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	250 CY	1.00	250.00
0014	0241000000-E	SP	GENERIC GRADING ITEM FILTER FABRIC FOR ROCK EMBANK- MENTS	650 SY	2.00	1,300.00
0015	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	110 SY	2.00	220.00
0016	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	40 TON	27.00	1,080.00
0017	0335200000-E	SP	15" DRAINAGE PIPE	148 LF	38.00	5,624.00
0018	0448200000-E	SP	15" RC PIPE CULVERTS, CLASS IV	156 LF	42.00	6,552.00

Contract Item Sheets For C202553

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1077000000-E	SP	#57 STONE SELECT MATERIAL, CLASS (VI)	950 TON	22.50	21,375.00
0020	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	1,050 TON	47.50	49,875.00
0021	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	500 TON	53.00	26,500.00
0022	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	78 TON	580.00	45,240.00
0023	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	50 TON	100.00	5,000.00
0024	2000000000-N	806	RIGHT OF WAY MARKERS	11 EA	200.00	2,200.00
0025	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	5 EA	1,700.00	8,500.00
0026	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	1.8 LF	265.00	477.00
0027	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	5 EA	450.00	2,250.00
0028	2556000000-E	846	SHOULDER BERM GUTTER	315 LF	22.00	6,930.00
0029	3030000000-E	862	STEEL BM GUARDRAIL	400 LF	13.00	5,200.00
0030	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0031	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	975.00	3,900.00
0032	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,700.00	6,800.00
0033	3360000000-E	863	REMOVE EXISTING GUARDRAIL	450 LF	0.10	45.00
0034	3628000000-E	876	RIP RAP, CLASS I	25 TON	38.00	950.00
0035	3649000000-E	876	RIP RAP, CLASS B	35 TON	38.00	1,330.00
0036	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,355 SY	1.50	2,032.50
0037	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	297 SF	5.40	1,603.80

Contract Item Sheets For C202553

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.85	643.90
0039	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	18.50	1,776.00
0040	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	9,320 LF	0.19	1,770.80
0041	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	17 EA	4.50	76.50
0042	6000000000-E	1605	TEMPORARY SILT FENCE	500 LF	1.68	840.00
0043	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	24.00	5,400.00
0044	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	170 TON	24.00	4,080.00
0045	6012000000-E	1610	SEDIMENT CONTROL STONE	345 TON	20.00	6,900.00
0046	6015000000-E	1615	TEMPORARY MULCHING	4.5 ACR	400.00	1,800.00
0047	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	175 LB	3.00	525.00
0048	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	2.75 TON	1,200.00	3,300.00
0049	6024000000-E	1622	TEMPORARY SLOPE DRAINS	375 LF	8.00	3,000.00
0050	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	5 EA	125.00	625.00
0051	6029000000-E	SP	SAFETY FENCE	1,050 LF	1.58	1,659.00
0052	6030000000-E	1630	SILT EXCAVATION	485 CY	2.00	970.00
0053	6036000000-E	1631	MATTING FOR EROSION CONTROL	8,500 SY	1.10	9,350.00
0054	6037000000-E	SP	COIR FIBER MAT	40 SY	4.50	180.00
0055	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	1,100 SY	5.40	5,940.00
0056	6042000000-E	1632	1/4" HARDWARE CLOTH	675 LF	3.60	2,430.00

Contract Item Sheets For C202553

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	6048000000-E	SP	FLOATING TURBIDITY CURTAIN	525 SY	15.50	8,137.50
0058	6070000000-N	SP	SPECIAL STILLING BASINS	8 EA	210.56	1,684.48
0059	6071010000-E	SP	WATTLE	530 LF	8.60	4,558.00
0060	6071020000-E	SP	POLYACRYLAMIDE (PAM)	135 LB	17.50	2,362.50
0061	6071030000-E	SP	COIR FIBER BAFFLES	260 LF	6.00	1,560.00
0062	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	900.00	3,600.00
0063	6084000000-E	1660	SEEDING & MULCHING	6.5 ACR	1,000.00	6,500.00
0064	6087000000-E	1660	MOWING	3.5 ACR	38.00	133.00
0065	6090000000-E	1661	SEED FOR REPAIR SEEDING	75 LB	10.00	750.00
0066	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.5 TON	1,400.00	700.00
0067	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	75 LB	1.20	90.00
0068	6108000000-E	1665	FERTILIZER TOPDRESSING	2 TON	740.00	1,480.00
0069	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	38.00	380.00
0070	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

Contract Item Sheets For C202553

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0071	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (19+00.00-L-)	Lump Sum LS	100,000.00	100,000.00
0072	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (19+00.00-L-)	Lump Sum LS	40,000.00	40,000.00
0073	8105540000-E	SP	3'-6" DIA DRILLED PIERS IN SOIL	136 LF	445.00	60,520.00
0074	8105640000-E	SP	3'-6" DIA DRILLED PIERS NOT IN SOIL	34 LF	1,160.00	39,440.00
0075	8111400000-E	SP	PERMANENT STEEL CASING FOR 3'-6" DIA DRILLED PIER	104 LF	250.00	26,000.00
0076	8113000000-N	SP	SID INSPECTION	1 EA	600.00	600.00
0077	8115000000-N	SP	CROSSHOLE SONIC LOGGING	1 EA	2,000.00	2,000.00
0078	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	82.9 CY	600.00	49,740.00
0079	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (19+00.00-L-)	Lump Sum LS	15,000.00	15,000.00
0080	8217000000-E	425	REINFORCING STEEL (BRIDGE)	24,386 LB	0.95	23,166.70
0081	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	3,981 LB	3.75	14,928.75
0082	8364000000-E	SP	HP12X53 STEEL PILES	340 LF	45.00	15,300.00
0083	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	475.5 LF	45.00	21,397.50
0084	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	7,000.00	7,000.00
0085	8753200000-E	430	3'-0" X 3'-3" PRESTRESSED CONC BOX BEAMS	2,850 LF	200.00	570,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,526,459.43 ✓

Contract Number C202553
County Randolph

Rev 2-1-10

**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

R. E. Burns & Sons Co., Inc.
Full name of Corporation

P O Box 7168, Statesville, N. C. 28687
Address as Prequalified

Attest Nancy L. Burns By K.C. Burns
Secretary/Assistant Secretary President/Vice President/Assistant Vice President
Select appropriate title Select appropriate title

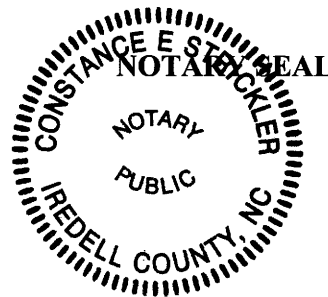
Nancy L. Burns
Print or type Signer's name

Kevin C. Burns
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
2 day of July 2010.
Constance E Stauckler
Signature of Notary Public
of Iredell County
State of North Carolina
My Commission Expires: June 28, 2014



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.

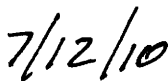
Contract No C202553

County (ies): Randolph

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

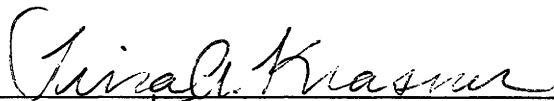


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202553
County Randolph County

Rev 2-1-10

CONTRACT PAYMENT BOND
Bond No. 837048775

Date of Payment Bond Execution July 1, 2010

Name of Principal Contractor R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: One Million Five Hundred Twenty Six Thousand Four Hundred Fifty Nine Dollars and 43/100ths (\$1,526,459.43)

Contract ID No.: C202553

County Name: Randolph County

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. C202553
County Randolph County

Rev 2-1-10

CONTRACT PAYMENT BOND


Affix Seal of Surety Company

Liberty Mutual Insurance Company

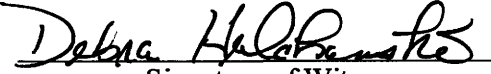
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanske

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C202553
County Randolph County

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168

Statesville, N.C. 28687

Address as prequalified

By 

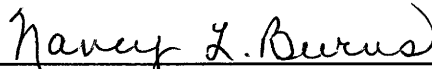
Signature of President, Vice President, Assistant Vice President
Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary
Select appropriate title

Nancy L. Burns

Print or type Signer's name

Contract No. C202553
County Randolph County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Bond No. 837048775

Date of Performance Bond Execution: July 1, 2010

Name of Principal Contractor: R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: One Million Five Hundred Twenty Six Thousand Four Hundred Fifty Nine Dollars and 43/100ths (\$1,526,459.43)

Contract ID No.: C202553

County Name: Randolph County

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. C202553
County Randolph County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

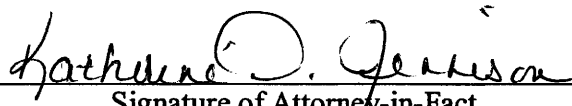
Affix Seal of Surety Company

Liberty Mutual Insurance Company


Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No.
County

C202553

Randolph County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168

Statesville, N.C. 28687

Address as prequalified

By

KCBurns

Signature of President, Vice-President, Assistant Vice-President

Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest

Nancy L. Burns

Signature of Secretary, Assistant Secretary

Select appropriate title

Nancy L. Burns

Print or type Signer's name

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

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

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, KIMBERLY LOUNSBERY, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

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

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

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

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

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

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

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

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 4th day of March, 2010

LIBERTY MUTUAL INSURANCE COMPANY

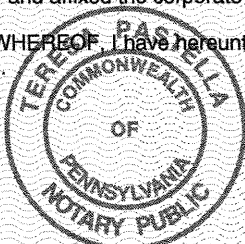
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 4th day of March, 2010, 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 1st day of July, 2010



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.

ASSETS

	Current Year			Prior Year
	1	2	3	4
	Assets	Nonadmitted Assets	Net Admitted Assets (Cols. 1 - 2)	Net Admitted Assets
1. Bonds (Schedule D)	11,425,766,895		11,425,766,895	11,057,669,501
2. Stocks (Schedule D):				
2.1 Preferred stocks	782,976,318		782,976,318	757,319,706
2.2 Common stocks	9,135,552,552		9,135,552,552	7,570,471,320
3. Mortgage loans on real estate (Schedule B):				
3.1 First liens	519,022,709		519,022,709	548,091,252
3.2 Other than first liens				
4. Real estate (Schedule A):				
4.1 Properties occupied by the company (less \$ 0 encumbrances)	337,179,530		337,179,530	425,989,166
4.2 Properties held for the production of income (less \$ 0 encumbrances)	978,262		978,262	1,039,982
4.3 Properties held for sale (less \$ 0 encumbrances)				
5. Cash (\$ 389,502,555, Schedule E - Part 1), cash equivalents (\$ 82,179,054, Schedule E - Part 2), and short-term investments (\$ 352,650,853, Schedule DA)	824,332,462		824,332,462	1,349,305,516
6. Contract loans (including \$ 0 premium notes)				
7. Other invested assets (Schedule BA)	5,771,150,576	206,157	5,770,944,419	5,131,343,213
8. Receivables for securities	12,271,548		12,271,548	2,859,056
9. Aggregate write-ins for invested assets				
10. Subtotals, cash and invested assets (Lines 1 to 9)	28,809,230,852	206,157	28,809,024,695	26,844,068,712
11. Title plants less \$ 0 charged off (for Title insurers only)				
12. Investment income due and accrued	133,129,777		133,129,777	140,188,757
13. Premiums and considerations:				
13.1 Uncollected premiums and agents' balances in the course of collection	993,264,743	14,732,220	978,532,523	1,071,899,224
13.2 Deferred premiums, agents' balances and installments booked but deferred and not yet due (including \$ 0 earned but unbilled premiums)	1,519,460,073		1,519,460,073	1,594,927,150
13.3 Accrued retrospective premiums	366,445,346	36,644,535	329,800,811	363,694,097
14. Reinsurance:				
14.1 Amounts recoverable from reinsurers	593,195,507		593,195,507	560,300,803
14.2 Funds held by or deposited with reinsured companies	13,527,020		13,527,020	17,294,633
14.3 Other amounts receivable under reinsurance contracts				
15. Amounts receivable relating to uninsured plans	21,095	11,418	9,677	175,315
16.1 Current federal and foreign income tax recoverable and interest thereon	313,172,066		313,172,066	
16.2 Net deferred tax asset	1,188,251,090	164,925,490	1,023,325,600	846,790,266
17. Guaranty funds receivable or on deposit	33,248,467		33,248,467	32,559,328
18. Electronic data processing equipment and software	319,102,379	257,221,814	61,880,565	50,291,004
19. Furniture and equipment, including health care delivery assets (\$ 0)	126,014,225	126,014,225		
20. Net adjustment in assets and liabilities due to foreign exchange rates				
21. Receivables from parent, subsidiaries and affiliates	346,223,617	610	346,223,007	312,158,606
22. Health care (\$ 0) and other amounts receivable				
23. Aggregate write-ins for other than invested assets	715,856,703	39,949,956	675,906,747	715,420,301
24. Total assets excluding Separate Accounts, Segregated Accounts and Protected Cell Accounts (Lines 10 to 23)	35,470,142,960	639,706,425	34,830,436,535	32,549,788,186
25. From Separate Accounts, Segregated Accounts and Protected Cell Accounts				
26. Total (Lines 24 and 25)	35,470,142,960	639,706,425	34,830,436,535	32,549,788,186

DETAILS OF WRITE-IN LINES				
0901.				
0902.				
0903.				
0998. Summary of remaining write-ins for Line 09 from overflow page				
0999. Totals (Lines 0901 through 0903 plus 0998) (Line 9 above)				
2301. Cash Surrender Value Life Insurance	383,284,396		383,284,396	348,631,623
2302. Amounts receivable under high deductible policies	172,319,200	115,054	172,204,146	165,149,487
2303. Other assets	132,718,497	39,834,902	92,883,595	165,597,198
2398. Summary of remaining write-ins for Line 23 from overflow page	27,534,610		27,534,610	36,042,093
2399. Totals (Lines 2301 through 2303 plus 2398) (Line 23 above)	715,856,703	39,949,956	675,906,747	715,420,301

LIABILITIES, SURPLUS AND OTHER FUNDS

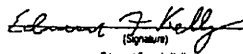
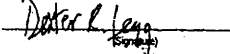
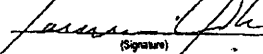
	1	2
	Current Year	Prior Year
1. Losses (Part 2A, Line 35, Column 8)	12,580,897,955	12,804,675,356
2. Reinsurance payable on paid losses and loss adjustment expenses (Schedule F, Part 1, Column 8)	76,374,442	82,048,425
3. Loss adjustment expenses (Part 2A, Line 35, Column 9)	2,545,218,983	2,488,475,556
4. Commissions payable, contingent commissions and other similar charges	119,922,389	96,063,863
5. Other expenses (excluding taxes, licenses and fees)	234,522,784	390,823,555
6. Taxes, licenses and fees (excluding federal and foreign income taxes)	168,208,453	256,823,744
7.1 Current federal and foreign income taxes (including \$ 0 on realized capital gains (losses))		36,105,135
7.2 Net deferred tax liability		
8. Borrowed money \$ 0 and interest thereon \$ 0		505,212
9. Unearned premiums (Part 1A, Line 38, Column 5) (after deducting unearned premiums for ceded reinsurance of \$ 2,135,447,180 and including warranty reserves of \$ 0)	3,293,042,808	3,320,119,872
10. Advance premium	43,887,917	60,012,854
11. Dividends declared and unpaid:		
11.1 Stockholders		
11.2 Policyholders	1,800,778	1,136,856
12. Ceded reinsurance premiums payable (net of ceding commissions)	717,199,249	660,465,345
13. Funds held by company under reinsurance treaties (Schedule F, Part 3, Column 19)	1,746,583,156	1,807,274,064
14. Amounts withheld or retained by company for account of others	555,667,197	465,703,129
15. Ramblings and items not allocated		
16. Provision for reinsurance (Schedule F, Part 7)	69,876,166	73,987,801
17. Net adjustments in assets and liabilities due to foreign exchange rates		
18. Drafts outstanding	294,010,958	292,965,747
19. Payable to parent, subsidiaries and affiliates	35,080,360	72,875,912
20. Payable for securities	59,521,815	15,487,672
21. Liability for amounts held under uninsured plans		
22. Capital notes \$ 0 and interest thereon \$ 0		
23. Aggregate write-ins for liabilities	(202,891,588)	(478,583,930)
24. Total liabilities excluding protected cell liabilities (Lines 1 through 23)	22,338,883,620	22,215,055,768
25. Protected cell liabilities		
26. Total liabilities (Lines 24 and 25)	22,338,883,620	22,215,055,768
27. Aggregate write-ins for special surplus funds	1,209,068,460	957,921,671
28. Common capital stock	10,000,000	10,000,000
29. Preferred capital stock		
30. Aggregate write-ins for other than special surplus funds	1,250,000	1,250,000
31. Surplus notes	795,347,694	892,074,990
32. Gross paid in and contributed surplus	6,435,272,283	6,335,272,283
33. Unassigned funds (surplus)	4,040,814,478	2,138,213,474
34. Less treasury stock, at cost:		
34.1 0 shares common (value included in Line 28 \$ 0)		
34.2 0 shares preferred (value included in Line 29 \$ 0)		
35. Surplus as regards policyholders (Lines 27 to 33, less 34) (Page 4, Line 39)	12,491,552,915	10,334,732,418
36. Totals (Page 2, Line 26, Col. 3)	34,830,436,535	32,548,788,186

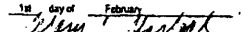
DETAILS OF WRITE-IN LINES		
2301. Amounts held under uninsured plans	651,634,174	581,897,189
2302. Other liabilities	410,875,388	424,947,876
2303. Collateral held for securities loaned	279,831,199	110,628,705
2398. Summary of remaining write-ins for Line 23 from overflow page	(1,645,032,349)	(1,596,357,800)
2399. Totals (Lines 2301 through 2303 plus 2398) (Line 23 above)	(202,891,588)	(478,583,930)
2701. Special surplus from retroactive reinsurance	957,721,654	957,921,671
2702. SSAP/DR incremental change	241,346,806	
2703.		
2798. Summary of remaining write-ins for Line 27 from overflow page		
2799. Totals (Lines 2701 through 2703 plus 2798) (Line 27 above)	1,209,068,460	957,921,671
3001. Guaranty funds	1,250,000	1,250,000
3002.		
3003.		
3098. Summary of remaining write-ins for Line 30 from overflow page		
3099. Totals (Lines 3001 through 3003 plus 3098) (Line 30 above)	1,250,000	1,250,000

State of Massachusetts

County of Suffolk

The officers of this reporting entity being duly sworn, each depose and say that they are the described officers of said reporting entity, and that on the reporting period stated above, all of the herein described assets were the absolute property of the said reporting entity, free and clear from any liens or claims thereon, except as herein stated, and that this statement, together with related exhibits, schedules and explanations thereon contained, annexed or referred to, is a full and true statement of all the assets and liabilities and of the condition and affairs of the said reporting entity as of the reporting period stated above, and of its income and deductions therefrom for the period ended, and have been completed in accordance with the NAIC Annual Statement Instructions and Accounting Practices and Procedures manual except to the extent that (1) state law may differ; or (2) that state rules or regulations require differences in reporting not related to accounting practices and procedures, according to the best of their information, knowledge and belief, respectively. Furthermore, the scope of this attestation by the described officers also includes the related corresponding electronic filing with the NAIC, when required, that is in compliance (except for formatting differences due to electronic filing) of the enclosed statement. The electronic filing may be requested by various regulators in lieu of or in addition to the enclosed statement.




 Edmund Francis Kelly Dexter Robert Legg Laurance Henry Boyd Yahn
 (Printed Name) (Printed Name) (Printed Name)
 1. 2. 3.
 Chairman of the Board President & CEO Vice President & Secretary Senior Vice President & Treasurer
 (Title) (Title) (Title)

Subscribed and sworn to (or affirmed) before me on this
 1st day of February, 2010, by




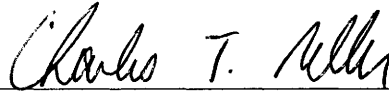
a. Is this an original filing? [X] Yes | No
 b. If no: 1. State the amendment number
 2. Date filed
 3. Number of pages attached

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 1st day of JULY, 2010 before me personally came
KATHERINE D. JENNISON to me known who being by me duly sworn, did depose and say
that he/she resides in EAST SYRACUSE, NY; that he/she is the
ATTORNEY-IN-FACT of the LIBERTY MUTUAL INSURANCE COMPANY
the corporation described in and which executed the within instrument; that he/she knows the
seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was
so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her
name thereto by like order.



Notary Public

**Charles T. Reller # 4990791
Notary Public, State of New York
Qualified in Onondaga County
My Commission Expires 01/13/2014**