

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

C202617

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202617

WBS 42580.3.4 BRIMS-0277(13)

T.I.P NO. BK-5102D

COUNTY OF MECKLENBURG  
THIS IS THE STRUCTURE CONTRACT  
ROUTE NUMBER I 277 LENGTH 0.000 MILES  
LOCATION BRIDGE NO. 332 ON I-277.

CONTRACTOR V. H. P. ENTERPRISES, INC.  
ADDRESS 728 WESLEY AVENUE  
TARPON SPRINGS, FL 34689

BIDS OPENED SEPTEMBER 21, 2010  
CONTRACT EXECUTION OCT 13 2010

NCDOT/berc

Vendor 6182's Bid Information for Call 010, Letting L100921, 2010-09-21

**V.H.P. Enterprises, Inc. (6182).**

**Vendor 6 of 9 Vendors for Call Order 010 (Proposal ID C202617).**

County: MECKLENBURG

Address:

Signature Check: This bid has been properly signed by Michael\_H\_Vavlas\_6182.

Time Bid Received: Tue Sep 21 11:27:05 2010

Bid Checksum: AD159EEA

Amendment Count: 0

Bidding Errors: No bidding errors. ✓

Bid Total: \$1,836,000.00 ✓

Bond ID: SNC10691212

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$91,800.00

Bid Security Maximum: \$2500000

Bond Agency Name:

Agency Execution Date:

Surety Name:

Surety State of Incorporation: New Jersey

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 0.0

DBE GOAL MET 0.0

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:  
n/a  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10691212  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency:  
Bond Execution Date:  
Bond Amount: \$91,800.00 (Five Percent of Bid)

State of NC  
 Dept of Transportation

Date: 08-24-10  
 Revised:

Contract ID: C202617      Project(s): BRIMS-0277(13)  
 Letting Date: 09-21-10    Call Order: 010  
 Bidder: 6182 - V.H.P. Enterprises, 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		45,000.00
0002	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF	24.000	0.50000		12.00
0003	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF	320.000	1.00000		320.00
0004	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF	96.000	1.00000		96.00
0005	4415000000-N FLASHING ARROW PANELS, TYPE C	EA	2.000	500.00000		1,000.00
0006	4420000000-N CHANGEABLE MESSAGE SIGN	EA	1.000	1,000.00000		1,000.00
0007	4430000000-N DRUMS	EA	250.000	1.00000		250.00
0008	4445000000-E BARRICADES (TYPE III)	LF	96.000	1.00000		96.00
0009	4480000000-N TMIA	EA	1.000	1,500.00000		1,500.00
0010	4510000000-N LAW ENFORCEMENT	HR	160.000	15.00000		2,400.00
0011	8860000000-N GENERIC STRUCTURE ITEM CLEANING & REPAINTING OF BRIDGE #332	LUMP		LUMP		1,784,326.00

State of NC  
Dept of Transportation

Date: 08-24-10  
Revised:

Contract ID: C202617

Project(s): BRIMS-0277(13)

Letting Date: 09-21-10 Call Order: 010

Bidder: 6182 - V.H.P. Enterprises, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0001 Total				1,836,000.00	
	Bid Total				1,836,000.00	

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:  
n/a  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

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

Contract Item Sheets For C202617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	45,000.00	45,000.00
0002	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	24 SF	0.50	12.00
0003	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	320 SF	1.00	320.00
0004	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	96 SF	1.00	96.00
0005	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	500.00	1,000.00
0006	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	1 EA	1,000.00	1,000.00
0007	4430000000-N	1130	DRUMS	250 EA	1.00	250.00
0008	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	1.00	96.00
0009	4480000000-N	1165	TMIA	1 EA	1,500.00	1,500.00
0010	4510000000-N	SP	LAW ENFORCEMENT	160 HR	15.00	2,400.00
0011	8860000000-N	SP	GENERIC STRUCTURE ITEM CLEANING & REPAINTING OF BRIDGE #332	Lump Sum LS	1,784,326.00	1,784,326.00
<b>TOTAL AMOUNT OF BID FOR ENTIRE PROJECT</b>						<b>\$1,836,000.00</b>

Contract No. C202617  
County Mecklenburg

Rev. 7-12-10

**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, that the Contractor has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Contractor intends to do the work with its 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**

V.H.P. Enterprises, Inc.  
Full name of Corporation

728 Wesley Avenue Tyson Sgs FL 34689  
Address as Prequalified

Attest Nomik M. Varlas  
Secretary/Assistant Secretary  
Select appropriate title

By [Signature]  
President/Vice President/Assistant Vice President  
Select appropriate title

Nomik M. Varlas  
Print or type Signer's name

Michael H. Varlas  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

6 day of October 2010

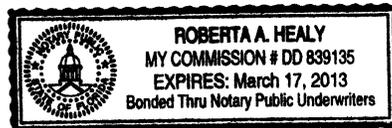
[Signature]  
Signature of Notary Public

**NOTARY SEAL**

of Pinellas County

State of Florida

My Commission Expires: 3/17/13



### DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed 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 prequalified bidder 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 prequalified bidder 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 prequalified bidder 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 bidder 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 6 herein, the Department may terminate any contract if the bidder 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.

Contract No. C202617  
County Mecklenburg

Rev. 7-12-10

### DEBARMENT CERTIFICATION

The prequalified 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.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder 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 prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract No C202617

County (ies): Mecklenburg

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

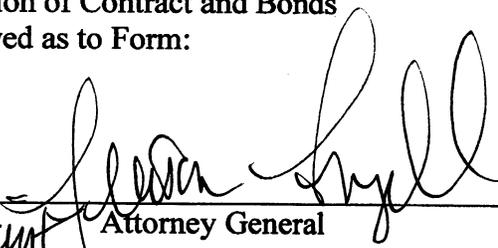


Contract Officer

10/13/10

Date

Execution of Contract and Bonds  
Approved as to Form:

  
Assistant Attorney General

Allison Angell

Contract No. C202617  
County Mecklenburg

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution October 5th, 2010  
Name of Principal Contractor VHP Enterprises, Inc.  
Name of Surety: International Fidelity Insurance Company  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$1,836,000.00  
Contract ID No.: C202617  
County Name: Mecklenburg

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. C202617  
County Mecklenburg

Rev 2-1-10

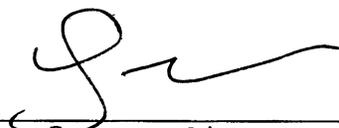
### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

International Fidelity Insurance Company

Print or type Surety Company Name

By Laura D. Mosholder - NC Licensed Agent  
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Margaret A. Schulz  
Print or type Signer's name

One Newark Center, 20th Floor - Newark, NJ 07102  
Address of Attorney-in-Fact

Contract No.  
County

C202617  
Mecklenburg

Rev 2-1-10

**CONTRACT PAYMENT BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

V.H.P. Enterprises, Inc  
Full name of Corporation

728 Wesley Avenue, Tallon Springs FL 34689  
Address as prequalified

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

Michael H. Vardas.  
Print or type Signer's name

*Affix Corporate Seal*

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

Normit M. Vardas.  
Print or type Signer's name

Contract No. C202617  
County Mecklenburg

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: October 5th, 2010  
Name of Principal Contractor: VHP Enterprises, Inc.  
Name of Surety: International Fidelity Insurance Company  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$1,836,000.00  
Contract ID No.: C202617  
County Name: Mecklenburg

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. C202617  
County Mecklenburg

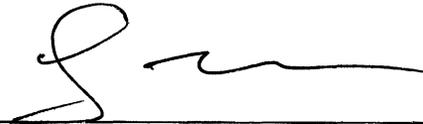
Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

International Fidelity Insurance Company  
Print or type Surety Company Name

By Laura D. Mosholder - NC Licensed Agent  
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact

  
Signature of Witness

Margaret A. Schulz  
Print or type Signer's name

One Newark Center, 20th Floor - Newark, NJ 07102  
Address of Attorney-in-Fact

Contract No.  
County

C202617  
Mecklenburg

Rev 2-1-10

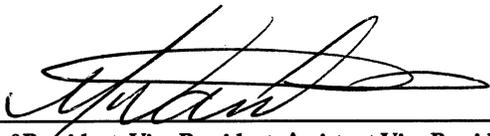
**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

V.H.P. Enterprises Inc.  
Full name of Corporation

128 Wesley Avenue Tarpon Spgs. FL 34689  
Address as prequalified

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

Michael H. Vavlas.  
Print or type Signer's name

*Affix Corporate Seal*

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

Nonie M. Vavlas  
Print or type Signer's name

# POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR  
NEWARK, NEW JERSEY 07102-5207

**KNOW ALL MEN BY THESE PRESENTS:** That **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

**LAURA D. MOSHOLDER**

Sanford, FL.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said **INTERNATIONAL FIDELITY INSURANCE COMPANY**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of **INTERNATIONAL FIDELITY INSURANCE COMPANY** at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



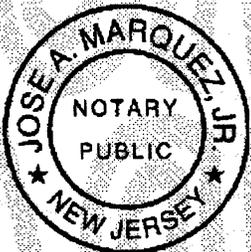
IN TESTIMONY WHEREOF, **INTERNATIONAL FIDELITY INSURANCE COMPANY** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 16th day of October, A.D. 2007.

**INTERNATIONAL FIDELITY INSURANCE COMPANY**

STATE OF NEW JERSEY  
County of Essex

Secretary

On this 16th day of October 2007, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of the **INTERNATIONAL FIDELITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Nov. 21, 2010

### CERTIFICATION

I, the undersigned officer of **INTERNATIONAL FIDELITY INSURANCE COMPANY** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 5th day of October, 2010

Assistant Secretary