

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

C202430

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202430

WBS 33716.3.1 BRZ-1111(7)

T.I.P NO. B-4467

COUNTY OF CLAY

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1111 LENGTH 0.071 MILES

LOCATION BRIDGE OVER BRASSTOWN CREEK AND APPROACHES ON SR-1111.

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

ADDRESS P.O. BOX 7168

STATESVILLE, NC 28687

BIDS OPENED APRIL 19, 2011

CONTRACT EXECUTION MAY 09 2011

R. E. Burns Sons Co., Inc. (3481).**Vendor 3 of 6 Vendors for Call Order 015 (Proposal ID C202430).**

County: CLAY
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 Apr 19 10:28:54 2011
Bid Checksum: 60C38E9E
Amendment Count: 0
Bidding Errors: No bidding errors. DBE GOAL SET 6.0
Bid Total: \$587,351.94 ✓
Bond ID: SNC11942016 DBE GOAL MET 6.0
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$29,367.60
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 4/5/2011 3:22:46 PM
Surety Name: Liberty Mutual Insurance Company
Surety State of Incorporation:
Bond Company:
Bond Type:
Bond Appr Flag:
Bond Affirm:
Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
3145	WB WATTS BARRIER WALLS 55 MUSCADINE LANE , MOUNTVILLE, SC 29370		Sub 11,389.95	✓ arm
4761	WB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub 4,869.24	✓ arm
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 19,084.00	✓ arm
			TOTAL: \$35,343.19	✓ arm
			6.02%	

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: SNC11942016
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 4/5/2011 3:22:46 PM
Bond Amount: \$29,367.60 (Five Percent of Bid)

State of NC
Dept of Transportation

Date. 03-21-11
Revised:

Contract ID. C202430 Project(s). BRZ-1111(7)
Letting Date: 04-19-11 Call Order. 015
Bidder. 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	29,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (19+09.50 -L-)	LUMP	LUMP	6,000.00
0003	0038000000-E SHALLOW UNDERCUT	CY 35.000	5.00000	175.00
0004	0043000000-N GRADING	LUMP	LUMP	37,000 00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	1 00000	1 00
0006	0057000000-E UNDERCUT EXCAVATION	CY 100.000	4 00000	400 00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON 65.000	20.00000	1,300.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY 100.000	20.00000	2,000.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 200.000	1.50000	300.00
0010	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 7 500	25.00000	187.50

State of NC
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Bidder. 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0320000000-E FOUNDATION CONDITIONING FABRIC	35.000 SY	3.00000		105.00	
0012	0335200000-E 15" DRAINAGE PIPE	24.000 LF	56.00000		1,344.00	
0013	0335300000-E 18" DRAINAGE PIPE	32.000 LF	60.00000		1,920.00	
0014	0448200000-E 15" RC PIPE CULVERTS, CLASS IV	12.000 LF	100.00000		1,200.00	
0015	0995000000-E PIPE REMOVAL	14.000 LF	11.00000		154.00	
0016	1121000000-E AGGREGATE BASE COURSE	60.000 TON	35.00000		2,100.00	
0017	1220000000-E INCIDENTAL STONE BASE	50.000 TON	30.00000		1,500.00	
0018	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	192.000 TON	115.00000		22,080.00	
0019	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	200.000 TON	126.00000		25,200.00	
0020	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	22.000 TON	550.00000		12,100.00	
0021	2022000000-E SUBDRAIN EXCAVATION	23.000 CY	5.00000		115.00	
0022	2033000000-E SUBDRAIN FINE AGGREGATE	17.000 CY	10.00000		170.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	3.00000		300.00	
0024	2070000000-N SUBDRAIN PIPE OUTLETS	1.000 EA	50.00000		50.00	
0025	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	10.00000		60.00	
0026	2286000000-N MASONRY DRAINAGE STRUCTURES	3.000 EA	1,500.00000		4,500.00	
0027	2364200000-N FRAME WITH TWO GRATES, STD 840.20	3.000 EA	750.00000		2,250.00	
0028	2556000000-E SHOULDER BERM GUTTER	162.000 LF	40.00000		6,480.00	
0029	3030000000-E STEEL BM GUARDRAIL	150.000 LF	17.00000		2,550.00	
0030	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	12.500 LF	18.00000		225.00	
0031	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	13.00000		65.00	
0032	3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (350, TL-2)	3.000 EA	1,800.00000		5,400.00	
0033	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	600.00000		600.00	
0034	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	1,400.00000		5,600.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3559000000-E ** STRAND BARBED WIRE FENCE WITH POSTS (1)	90.000 LF	6.00000		540.00	
0036	3559000000-E ** STRAND BARBED WIRE FENCE WITH POSTS (4)	90.000 LF	6.00000		540.00	
0037	3564000000-E SINGLE GATES, *** HIGH, *** WIDE, *** OPENING (48", 10', 10')	2.000 EA	400.00000		800.00	
0038	3569000000-E BARBED WIRE FENCE RESET	640.000 LF	4.00000		2,560.00	
0039	3580000000-E GENERIC FENCING ITEM TEMPORARY 1 STRAND BARDED WIRE FENCE	206 000 LF	4.00000		824.00	
0040	3580000000-E GENERIC FENCING ITEM TEMPORARY 3 STRAND BARDED WIRE FENCE	210.000 LF	6.00000		1,260.00	
0041	3580000000-E GENERIC FENCING ITEM TEMPORARY 4 STRAND BARDED WIRE FENCE	140.000 LF	6.00000		840.00	
0042	3656000000-E FILTER FABRIC FOR DRAINAGE	475.000 SY	1.90000		902.50	
0043	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	2 000 EA	865.00000		1,730.00	
0044	4400000000-E WORK ZONE SIGNS (STATIONARY)	448.000 SF	3.88000		1,738.24	
0045	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	116.000 SF	5.75000		667.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	4430000000-N DRUMS	20.000 EA	40.00000		800.00	
0047	4445000000-E BARRICADES (TYPE III)	128.000 LF	19.25000		2,464.00	
0048	4810000000-E PAINT PAVEMENT MARKING LINES (4")	3,012.000 LF	0.85000		2,560.20	
0049	6000000000-E TEMPORARY SILT FENCE	435.000 LF	3.00000		1,305.00	
0050	6006000000-E STONE FOR EROSION CONTROL, CLASS A	225.000 TON	20.00000		4,500.00	
0051	6009000000-E STONE FOR EROSION CONTROL, CLASS B	65.000 TON	36.00000		2,340.00	
0052	6012000000-E SEDIMENT CONTROL STONE	50.000 TON	36.00000		1,800.00	
0053	6015000000-E TEMPORARY MULCHING	0.500 ACR	2,000.00000		1,000.00	
0054	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	4.00000		200.00	
0055	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	1,500.00000		1,875.00	
0056	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	4.00000		800.00	
0057	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	100.00000		400.00	

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			Dollars	Cts	Dollars	Ct
0058	6029000000-E SAFETY FENCE	240.000 LF	3.00000		720.00	
0059	6030000000-E SILT EXCAVATION	100.000 CY	3.00000		300.00	
0060	6036000000-E MATTING FOR EROSION CONTROL	2,500.000 SY	2.00000		5,000.00	
0061	6037000000-E COIR FIBER MAT	10.000 SY	10.00000		100.00	
0062	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	27.000 SY	8.00000		216.00	
0063	6042000000-E 1/4" HARDWARE CLOTH	175.000 LF	4.00000		700.00	
0064	6071010000-E WATTLE	25.000 LF	8.40000		210.00	
0065	6071020000-E POLYACRYLAMIDE (PAM)	25.000 LB	17.00000		425.00	
0066	6071030000-E COIR FIBER BAFFLES	55.000 LF	6.00000		330.00	
0067	6071050000-E *** SKIMMER (1-1/2")	1.000 EA	1,000.00000		1,000.00	
0068	6084000000-E SEEDING & MULCHING	0.500 ACR	2,500.00000		1,250.00	
0069	6087000000-E MOWING	0.500 ACR	10.00000		5.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0070	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.00000		250.00	
0071	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,500.00000		375.00	
0072	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50 000 LB	5.00000		250.00	
0073	6108000000-E FERTILIZER TOPDRESSING	0.250 TON	2,000.00000		500.00	
0074	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	20.00000		200.00	
0075	6117000000-N RESPONSE FOR EROSION CONTROL	18.000 EA	1.00000		18 00	
0076	6123000000-E REFORESTATION	0 250 ACR	3,000.00000		750.00	
Section 0001 Total						217,476.44

Section 0004 STRUCTURE ITEMS

Alt Group

0077	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (19+09.50-L-)	LUMP	LUMP		1.00	
0078	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (19+09.50-L-)	LUMP	LUMP		15,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0079	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (19+09.50-L-)	LUMP	LUMP			2,000.00
0080	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 50.200	850.00000			42,670.00
0081	8210000000-N BRIDGE APPROACH SLABS, STATION***** (19+09.50-L-)	LUMP	LUMP			16,500.00
0082	8217000000-E REINFORCING STEEL (BRIDGE)	LB 7,494.000	1.25000			9,367.50
0083	8364000000-E HP12X53 STEEL PILES	LF 500.000	31.00000			15,500.00
0084	8384200000-E HP14X73 GALVANIZED STEEL PILES	LF 765.000	48.00000			36,720.00
0085	8505000000-E VERTICAL CONCRETE BARRIER RAIL	LF 265 500	63.00000			16,726.50
0086	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 161.000	40.00000			6,440.00
0087	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 179 000	2.00000			358.00
0088	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			6,000.00
0089	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	LF 1,457 500	139.00000			202,592.50

State of NC
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 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 0004 Total				369,875.50	
	Bid Total				587,351.94	

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:03-21-11
PAGE: 12

PROPOSAL: C202430
LETTING: L110419 CALL: 015
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: 3145 WATTS BARRIER WALLS
Will Use Quote: Yes

0085 8505000000-E VERT CONC BA LF 265.500 42.90000 11389.95
slipform only

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 11,389.95 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 11,389.

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.
Will Use Quote: Yes

0044 4400000000-E WORK ZONE SI SF 448.000 3.88000 1738.24
0045 4410000000-E WORK ZONE SI SF 116.000 5.75000 667.00
0047 4445000000-E BARRICADES (LF 128.000 19.25000 2464.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,869.24 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 4,869.2

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
Will Use Quote: Yes

0029 3030000000-E STL BM GUARD LF 150.000 17.00000 2550.00
0030 3045000000-E SBGR SHOP CU LF 12.500 18.00000 225.00
0031 3150000000-N ADDIT GUARDR EA 5.000 13.00000 65.00
0032 3165000000-N GR ANCHOR TY EA 3.000 1800.00000 5400.00
0033 3195000000-N GR ANCHOR TY EA 1.000 600.00000 600.00
0034 3215000000-N GR ANCHOR TY EA 4.000 1400.00000 5600.00
0038 3569000000-E BARBED WIRE LF 640.000 4.00000 2560.00
0039 3580000000-E GENERIC FENC LF 206.000 4.00000 824.00
0040 3580000000-E GENERIC FENC LF 210.000 6.00000 1260.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 19,084.00 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 19,084.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 6.02% or 35343.19 ✓ arm
Required: 6.00% or 35241.12
<GOAL MET>

Contract Item Sheets For C202430

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	29,000.00	29,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (19+09.50 -L-)	Lump Sum LS	6,000.00	6,000.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	35 CY	5.00	175.00
0004	0043000000-N	226	GRADING	Lump Sum LS	37,000.00	37,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	4.00	400.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	65 TON	20.00	1,300.00
0008	0195000000-E	SP	SELECT GRANULAR MATERIAL	100 CY	20.00	2,000.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	200 SY	1.50	300.00
0010	0318000000-E	SP	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	7.5 TON	25.00	187.50
0011	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	35 SY	3.00	105.00
0012	0335200000-E	SP	15" DRAINAGE PIPE	24 LF	56.00	1,344.00
0013	0335300000-E	SP	18" DRAINAGE PIPE	32 LF	60.00	1,920.00
0014	0448200000-E	SP	15" RC PIPE CULVERTS, CLASS IV	12 LF	100.00	1,200.00
0015	0995000000-E	340	PIPE REMOVAL	14 LF	11.00	154.00
0016	1121000000-E	520	AGGREGATE BASE COURSE	60 TON	35.00	2,100.00
0017	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	30.00	1,500.00
0018	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	192 TON	115.00	22,080.00
0019	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	200 TON	126.00	25,200.00

Contract Item Sheets For C202430

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	22 TON	550.00	12,100.00
0021	2022000000-E	SP	SUBDRAIN EXCAVATION	23 CY	5.00	115.00
0022	2033000000-E	SP	SUBDRAIN FINE AGGREGATE	17 CY	10.00	170.00
0023	2044000000-E	SP	6" PERFORATED SUBDRAIN PIPE	100 LF	3.00	300.00
0024	2070000000-N	SP	SUBDRAIN PIPE OUTLETS	1 EA	50.00	50.00
0025	2077000000-E	SP	6" OUTLET PIPE (SUBDRAINS)	6 LF	10.00	60.00
0026	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	1,500.00	4,500.00
0027	2364200000-N	840	FRAME WITH TWO GRATES, STD 840.20	3 EA	750.00	2,250.00
0028	2556000000-E	846	SHOULDER BERM GUTTER	162 LF	40.00	6,480.00
0029	3030000000-E	862	STEEL BM GUARDRAIL	150 LF	17.00	2,550.00
0030	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	12.5 LF	18.00	225.00
0031	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	13.00	65.00
0032	3165000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** (350, TL-2)	3 EA	1,800.00	5,400.00
0033	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	600.00	600.00
0034	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,400.00	5,600.00
0035	3559000000-E	866	** STRAND BARBED WIRE FENCE WITH POSTS (1)	90 LF	6.00	540.00
0036	3559000000-E	866	** STRAND BARBED WIRE FENCE WITH POSTS (4)	90 LF	6.00	540.00
0037	3564000000-E	866	SINGLE GATES, *** HIGH, *** WIDE, *** OPENING (48", 10', 10')	2 EA	400.00	800.00

Contract Item Sheets For C202430

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	3569000000-E	867	BARBED WIRE FENCE RESET	640 LF	4.00	2,560.00
0039	3580000000-E	866	GENERIC FENCING ITEM TEMPORARY 1 STRAND BARBED WIRE FENCE	206 LF	4.00	824.00
0040	3580000000-E	866	GENERIC FENCING ITEM TEMPORARY 3 STRAND BARBED WIRE FENCE	210 LF	6.00	1,260.00
0041	3580000000-E	866	GENERIC FENCING ITEM TEMPORARY 4 STRAND BARBED WIRE FENCE	140 LF	6.00	840.00
0042	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	475 SY	1.90	902.50
0043	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	2 EA	865.00	1,730.00
0044	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	448 SF	3.88	1,738.24
0045	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	116 SF	5.75	667.00
0046	4430000000-N	1130	DRUMS	20 EA	40.00	800.00
0047	4445000000-E	1145	BARRICADES (TYPE III)	128 LF	19.25	2,464.00
0048	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	3,012 LF	0.85	2,560.20
0049	6000000000-E	1605	TEMPORARY SILT FENCE	435 LF	3.00	1,305.00
0050	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	20.00	4,500.00
0051	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	65 TON	36.00	2,340.00
0052	6012000000-E	1610	SEDIMENT CONTROL STONE	50 TON	36.00	1,800.00
0053	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	2,000.00	1,000.00
0054	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	4.00	200.00
0055	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	1,500.00	1,875.00

Contract Item Sheets For C202430

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	4.00	800.00
0057	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	100.00	400.00
0058	6029000000-E	SP	SAFETY FENCE	240 LF	3.00	720.00
0059	6030000000-E	1630	SILT EXCAVATION	100 CY	3.00	300.00
0060	6036000000-E	1631	MATTING FOR EROSION CONTROL	2,500 SY	2.00	5,000.00
0061	6037000000-E	SP	COIR FIBER MAT	10 SY	10.00	100.00
0062	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	27 SY	8.00	216.00
0063	6042000000-E	1632	1/4" HARDWARE CLOTH	175 LF	4.00	700.00
0064	6071010000-E	SP	WATTLE	25 LF	8.40	210.00
0065	6071020000-E	SP	POLYACRYLAMIDE (PAM)	25 LB	17.00	425.00
0066	6071030000-E	SP	COIR FIBER BAFFLES	55 LF	6.00	330.00
0067	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	1,000.00	1,000.00
0068	6084000000-E	1660	SEEDING & MULCHING	0.5 ACR	2,500.00	1,250.00
0069	6087000000-E	1660	MOWING	0.5 ACR	10.00	5.00
0070	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.00	250.00
0071	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,500.00	375.00
0072	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	5.00	250.00
0073	6108000000-E	1665	FERTILIZER TOPDRESSING	0.25 TON	2,000.00	500.00
0074	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	20.00	200.00
0075	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	18 EA	1.00	18.00

Contract Item Sheets For C202430

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0076	6123000000-E	1670	REFORESTATION	0.25 ACR	3,000.00	750.00

Contract Item Sheets For C202430

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0077	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (19+09.50-L-)	Lump Sum LS	1.00	1.00
0078	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (19+09.50-L-)	Lump Sum LS	15,000.00	15,000.00
0079	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (19+09.50-L-)	Lump Sum LS	2,000.00	2,000.00
0080	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	50.2 CY	850.00	42,670.00
0081	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (19+09.50-L-)	Lump Sum LS	16,500.00	16,500.00
0082	8217000000-E	425	REINFORCING STEEL (BRIDGE)	7,494 LB	1.25	9,367.50
0083	8364000000-E	SP	HP12X53 STEEL PILES	500 LF	31.00	15,500.00
0084	8384200000-E	SP	HP14X73 GALVANIZED STEEL PILES	765 LF	48.00	36,720.00
0085	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	265.5 LF	63.00	16,726.50
0086	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	161 TON	40.00	6,440.00
0087	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	179 SY	2.00	358.00
0088	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	6,000.00	6,000.00
0089	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	1,457.5 LF	139.00	202,592.50

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$587,351.94

Contract Number C202430
County Clay

Rev 4-19-11

**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 Secretary/Assistant Secretary
By Kevin C. Burns President/Vice President/Assistant Vice President
Select appropriate title

NANCY L. BURNS
Print or type Signer's name

KEVIN C. BURNS
Print or type Signer's name

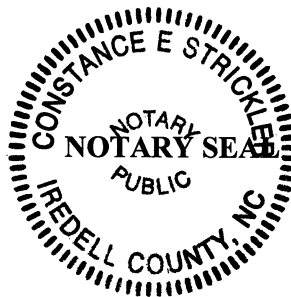
CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
2nd day of May 2011.

Constance E. Strickler
Signature of Notary Public

of Fredell 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 **C202430**

County (ies): **Clay**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

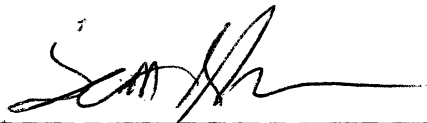


Contract Officer

5/9/11

Date

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



Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202430
County Clay County

Rev 4-19-11

CONTRACT PAYMENT BOND
BOND NO. 837051468

Date of Payment Bond Execution 05/02/2011

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: Five Hundred Eighty Seven Thousand Three Hundred Fifty One Dollars and 94/100ths (\$587,351.94)

Contract ID No.: C202430

County Name: Clay 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. C202430
County Clay County

Rev 4-19-11

CONTRACT PAYMENT BOND

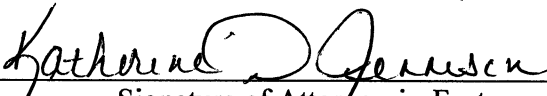
Affix Seal of Surety Company

Liberty Mutual Insurance Company

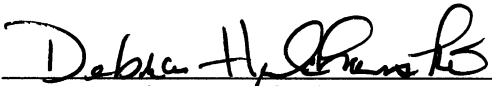
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No.
County

C202430

Clay County

Rev 4-19-11

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

Kevin E Burns

Signature of **President, Vice President, Assistant Vice President**

Select appropriate title

Kevin E 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

Contract No. C202430
County Clay County

Rev 4-19-11

CONTRACT PERFORMANCE BOND

BOND NO. 837051468

Date of Performance Bond Execution: May 2, 2011

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: Five Hundred Eighty Seven Thousand Three Hundred Fifty One Dollars and 94/100ths (\$587,351.94)

Contract ID No.: C202430

County Name: Clay 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. C202430
County Clay County

Rev 4-19-11

CONTRACT PERFORMANCE BOND


Affix Seal of Surety Company

Liberty Mutual Insurance Company

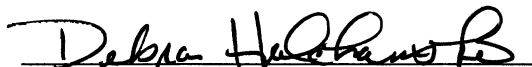
Print or type Surety Company Name

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

C202430

Clay County

Rev 4-19-11

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



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2010

Assets		Liabilities	
Cash and Bank Deposits	\$ 795,278,733	Unearned Premiums	\$3,502,531,059
*Bonds — U.S Government	928,976,332	Reserve for Claims and Claims Expense.....	15,450,806,243
*Other Bonds.....	12,269,586,768	Funds Held Under Reinsurance Treaties.....	1,764,193,716
*Stocks.....	8,410,330,089	Reserve for Dividends to Policyholders.....	4,776,435
Real Estate	280,897,925	Additional Statutory Reserve	89,441,297
Agents' Balances or Uncollected Premiums.....	2,971,477,549	Reserve for Commissions, Taxes and	
Accrued Interest and Rents.....	156,129,412	Other Liabilities	<u>2,126,508,564</u>
Other Admitted Assets	<u>10,888,871,535</u>	Total.....	<u>\$22,938,257,314</u>
Total Admitted Assets.....	<u>\$36,701,548,343</u>	Special Surplus Funds.....	\$1,218,426,655
		Capital Stock.....	10,000,000
		Paid in Surplus.....	7,731,965,815
		Unassigned Surplus.....	4,802,898,559
		Surplus to Policyholders	<u>13,763,291,029</u>
		Total Liabilities and Surplus	<u>\$36,701,548,343</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2010, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 29th day of March, 2011.

Assistant Secretary

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 2nd day of MAY, 2011 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**

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 28th day of July, 2010.

LIBERTY MUTUAL INSURANCE COMPANY

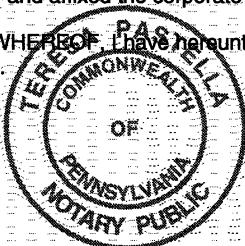
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of July, 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 2nd day of May, 2011.



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.

