

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

C202439

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202439

WBS 33783.3.1 BRZ-1323(1)

T.I.P NO. B-4582

COUNTY OF MONTGOMERY

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1323 LENGTH 0.147 MILES

LOCATION BRIDGE OVER DENSONS CREEK AND APPROACHES ON SR-1323.

CONTRACTOR APPLE TUCK & ASSOCIATES, INC.

ADDRESS P.O. BOX 904

RUTHERFORDTON, NC 28139

BIDS OPENED AUGUST 16, 2011

CONTRACT EXECUTION SEP 14 2011

Apple Tuck Associates, Inc (3534).

Vendor 5 of 11 Vendors for Call Order 005 (Proposal ID C202439).

County: MONTGOMERY
Address: P O Box 904
200 Highway 221
Rutherfordton, NC 28139

Phone Number: 8282873767

Signature Check: This bid has been properly signed by David_Charles_Bare_3534.

Time Bid Received: Tue Aug 16 13:43:55 2011

Bid Checksum: 41024FCF

Amendment Count: 0

Bidding Errors: No bidding errors

DBE GOAL SET 7.0

Bid Total: \$766,817.70 ✓

DBE GOAL MET 20.8

Bond ID: QQSJ-3RW2-LRBB-UN4W

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$38,340.89

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 8/16/2011

Surety Name: Fidelity and Deposit Company of Maryland

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	
12802 WB	NICKELSTON INDUSTRIES, INC. POST OFFICE BOX 133 , LAWSONVILLE, NC 27022		Sub 14,928.00	✓ am
2855 WB	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 10,835.90	✓ am
2008 WB	LYNN THOMAS GRADING INC ROUTE 2, BOX 283C , POLKTON, NC 28135		Sub 133,632.25	✓ am
			TOTAL: \$159,396.15	✓ am
			20.79%	

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: QQSJ-3RW2-LRBB-UN4W
 Surety Registry Agency: SurePathNetwork
 Verified?: Yes
 Surety Agency: Fidelity and Deposit Company of Maryland
 Bond Execution Date: 8/16/2011
 Bond Amount: \$38,340.89 (Five Percent of Bid)

Contract ID: C202439
 Letting Date: 08-16-11 Call Order: 005
 Bidder: 3534 - Apple Tuck & Associates, 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			25,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (17+17.50 -L-)	LUMP	LUMP			6,300.00
0003	0038000000-E SHALLOW UNDERCUT	CY 85.000		8.00000		680.00
0004	0043000000-N GRADING	LUMP	LUMP			70,000.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000		1.00000		1.00
0006	0057000000-E UNDERCUT EXCAVATION	CY 250.000		5.00000		1,250.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON 160.000		20.00000		3,200.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 250.000		2.00000		500.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 20.000		30.00000		600.00
0010	0320000000-E FOUNDATION CONDITIONING FABRIC	SY 35.000		2.00000		70.00

State of NC
Dept of Transportation

Date: 07-19-11
Revised:

Contract ID: C202439 Project(s): BRZ-1323(1)
Letting Date: 08-16-11 Call Order: 005
Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0335200000-E 15" DRAINAGE PIPE	52.000 LF	40.00000		2,080.00	
0012	0335850000-E **" DRAINAGE PIPE ELBOWS (15")	4.000 EA	205.00000		820.00	
0013	0366000000-E 15" RC PIPE CULVERTS, CLASS III	44.000 LF	37.00000		1,628.00	
0014	1220000000-E INCIDENTAL STONE BASE	75.000 TON	25.00000		1,875.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	290.000 TON	68.00000		19,720.00	
0016	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	320.000 TON	70.00000		22,400.00	
0017	1575000000-E ASPHALT BINDER FOR PLANT MIX	35.000 TON	650.00000		22,750.00	
0018	2000000000-N RIGHT OF WAY MARKERS	12.000 EA	300.00000		3,600.00	
0019	2022000000-E SUBDRAIN EXCAVATION	56.000 CY	5.00000		280.00	
0020	2033000000-E SUBDRAIN FINE AGGREGATE	42.000 CY	10.00000		420.00	
0021	2044000000-E 6" PERFORATED SUBDRAIN PIPE	250.000 LF	1.00000		250.00	
0022	2070000000-N SUBDRAIN PIPE OUTLETS	1.000 EA	1.00000		1.00	

State of NC
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Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	1.00000		6.00	
0024	2286000000-N MASONRY DRAINAGE STRUCTURES	3.000 EA	1,500.00000		4,500.00	
0025	2366000000-N FRAME WITH TWO GRATES, STD 840.24	1.000 EA	350.00000		350.00	
0026	2367000000-N FRAME WITH TWO GRATES, STD 840.29	2.000 EA	370.00000		740.00	
0027	2556000000-E SHOULDER BERM GUTTER	273.000 LF	40.00000		10,920.00	
0028	3030000000-E STEEL BM GUARDRAIL	275.000 LF	15.00000		4,125.00	
0029	3150000000-N ADDITIONAL GUARDRAIL POSTS	3.000 EA	1.00000		3.00	
0030	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	1,200.00000		4,800.00	
0031	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,500.00000		6,000.00	
0032	3649000000-E RIP RAP, CLASS B	3.000 TON	100.00000		300.00	
0033	3656000000-E FILTER FABRIC FOR DRAINAGE	765.000 SY	2.00000		1,530.00	
0034	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	50.000 LF	5.48000		274.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4096000000-N SIGN ERECTION, TYPE D	EA 2.000	165.00000		330.00	
0036	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	EA 6.000	5.00000		30.00	
0037	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 265.000	5.50000		1,457.50	
0038	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 94.000	6.05000		568.70	
0039	4445000000-E BARRICADES (TYPE III)	LF 80.000	20.00000		1,600.00	
0040	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 6,080.000	0.35000		2,128.00	
0041	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 9.000	50.00000		450.00	
0042	6000000000-E TEMPORARY SILT FENCE	LF 1,075.000	2.00000		2,150.00	
0043	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 250.000	28.00000		7,000.00	
0044	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 125.000	30.00000		3,750.00	
0045	6012000000-E SEDIMENT CONTROL STONE	TON 185.000	29.00000		5,365.00	
0046	6015000000-E TEMPORARY MULCHING	ACR 1.000	975.00000		975.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	3.75000		187.50	
0048	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	1,200.00000		300.00	
0049	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	10.00000		2,000.00	
0050	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	100.00000		400.00	
0051	6029000000-E SAFETY FENCE	400.000 LF	2.25000		900.00	
0052	6030000000-E SILT EXCAVATION	140.000 CY	3.00000		420.00	
0053	6036000000-E MATTING FOR EROSION CONTROL	4,000.000 SY	1.25000		5,000.00	
0054	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	375.000 SY	6.00000		2,250.00	
0055	6042000000-E 1/4" HARDWARE CLOTH	275.000 LF	5.00000		1,375.00	
0056	6070000000-N SPECIAL STILLING BASINS	4.000 EA	150.00000		600.00	
0057	6071010000-E WATTLE	80.000 LF	8.00000		640.00	
0058	6071020000-E POLYACRYLAMIDE (PAM)	40.000 LB	11.20000		448.00	

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			Dollars	Cts	Dollars	Ct
0059	6071030000-E COIR FIBER BAFFLE	105.000 LF	9.00000		945.00	
0060	6084000000-E SEEDING & MULCHING	1.000 ACR	2,200.00000		2,200.00	
0061	6087000000-E MOWING	1.000 ACR	50.00000		50.00	
0062	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	4.40000		220.00	
0063	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,400.00000		350.00	
0064	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	4.40000		220.00	
0065	6108000000-E FERTILIZER TOPDRESSING	0.750 TON	1,125.00000		843.75	
0066	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	10.00000		100.00	
0067	6117000000-N RESPONSE FOR EROSION CONTROL	25.000 EA	50.00000		1,250.00	
	Section 0001 Total				263,476.45	

Section 0004 STRUCTURE ITEMS

Alt Group

State of NC
Dept of Transportation

Date: 07-19-11
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Letting Date: 08-16-11 Call Order: 005
Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0068	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (17+17.50 -L-)	LUMP	LUMP			10,000.00
0069	8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17+17.50 -L-)	LUMP	LUMP			20,000.00
0070	8105520000-E 3'-0" DIA DRILLED PIERS IN SOIL	22.000 LF	735.00000			16,170.00
0071	8105620000-E 3'-0" DIA DRILLED PIERS NOT IN SOIL	30.000 LF	735.00000			22,050.00
0072	8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	16.000 LF	150.00000			2,400.00
0073	8114000000-N SPT TESTING	2.000 EA	500.00000			1,000.00
0074	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (17+17.50 -L-)	LUMP	LUMP			12,500.00
0075	8182000000-E CLASS A CONCRETE (BRIDGE)	53.600 CY	900.00000			48,240.00
0076	8210000000-N BRIDGE APPROACH SLABS, STATION***** (17+17.50 -L-)	LUMP	LUMP			20,000.00
0077	8217000000-E REINFORCING STEEL (BRIDGE)	11,625.000 LB	1.00000			11,625.00

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Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0078	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,072.000 LB	2.50000		2,680.00	
0079	8364000000-E HP12X53 STEEL PILES	150.000 LF	40.00000		6,000.00	
0080	8391000000-N STEEL PILE POINTS	10.000 EA	300.00000		3,000.00	
0081	8505000000-E VERTICAL CONCRETE BARRIER RAIL	325.500 LF	55.00000		17,902.50	
0082	8608000000-E RIP RAP CLASS II (2'-0" THICK)	395.000 TON	40.00000		15,800.00	
0083	8622000000-E FILTER FABRIC FOR DRAINAGE	440.000 SY	2.00000		880.00	
0084	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		7,500.00	
0085	8753200000-E 3'-0" X 3'-3" PRESTRESSED CONCBOX BEAMS	1,626.250 LF	175.00000		284,593.75	
0086	8897000000-N GENERIC STRUCTURE ITEM CSL TESTING	1.000 EA	1,000.00000		1,000.00	
	Section 0004 Total				503,341.25	
	Bid Total				766,817.70	

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: 07-19-11
PAGE: 11

PROPOSAL: C202439
LETTING: L110816 CALL: 005
VENDOR: 3534 Apple Tuck & Associates, Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 12802 NICKELSTON INDUSTRIES, INC.
Will Use Quote: Yes

0028	3030000000-E	STL BM GUARD	LF	275.000	15.00000	4125.00
0029	3150000000-N	ADDIT GUARDR	EA	3.000	1.00000	3.00
0030	3215000000-N	GR ANCHOR TY	EA	4.000	1200.00000	4800.00
0031	3270000000-N	GR ANCHOR TY	EA	4.000	1500.00000	6000.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,928.00 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 14,928.

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

0081	8505000000-E	VERT CONC BA	LF	325.500	33.29000	10835.90
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,835.90 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 10,835.

DBE SUBCONTRACTOR: 2008 LYNN THOMAS GRADING INC
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION	LS	1.000	8000.00000	8000.00
0004	0043000000-N	GRADING	LS	1.000	67000.00000	67000.00
0006	0057000000-E	UNDERCUT EXC	CY	250.000	5.00000	1250.00
0007	0080000000-E	CLASS IV SUB	TON	160.000	20.00000	3200.00
0008	0196000000-E	SOIL STABILI	SY	250.000	2.00000	500.00
0009	0318000000-E	FND CONDIT M	TON	20.000	30.00000	600.00
0010	0320000000-E	FND CONDIT F	SY	35.000	2.00000	70.00
0011	0335200000-E	15" DRAINAGE	LF	52.000	40.00000	2080.00
0012	0335850000-E	**" DRAINAGE	EA	4.000	205.00000	820.00
0013	0366000000-E	15" RC PIPE	LF	44.000	37.00000	1628.00
0014	1220000000-E	INCIDENTAL S	TON	75.000	25.00000	1875.00
0024	2286000000-N	MASNRY DRAIN	EA	3.000	1500.00000	4500.00
0025	2366000000-N	FRAME W/2GRT	EA	1.000	350.00000	350.00
0026	2367000000-N	FRAME W/2GRT	EA	2.000	370.00000	740.00
0032	3649000000-E	RIP RAP, CLA	TON	3.000	100.00000	300.00
0033	3656000000-E	FILTER FABRI	SY	765.000	2.00000	1530.00
0042	6000000000-E	TEMPORARY SI	LF	1075.000	2.00000	2150.00
0043	6006000000-E	EROS CONTRL	TON	250.000	28.00000	7000.00
0044	6009000000-E	EROS CONTRL	TON	125.000	30.00000	3750.00
0045	6012000000-E	SEDIMENT CON	TON	185.000	29.00000	5365.00
0046	6015000000-E	TEMPORARY MU	ACR	1.000	975.00000	975.00
0047	6018000000-E	SEED FOR TEM	LB	50.000	3.75000	187.50
0048	6021000000-E	FERT FOR TEM	TON	0.250	1200.00000	300.00
0049	6024000000-E	TEMPORARY SL	LF	200.000	10.00000	2000.00
0050	6027000000-N	INLET PROTCN	EA	4.000	100.00000	400.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:07-19-11
PAGE: 12

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0051	6029000000-E	SAFETY FENCE	LF	400.000	2.25000	900.00
0052	6030000000-E	SILT EXCAVAT	CY	140.000	3.00000	420.00
0053	6036000000-E	MATTING FOR	SY	4000.000	1.25000	5000.00
0054	6038000000-E	PERM SOIL RE	SY	375.000	6.00000	2250.00
0055	6042000000-E	1/4" HARDWAR	LF	275.000	5.00000	1375.00
0057	6071010000-E	WATTLE	LF	80.000	8.00000	640.00
0058	6071020000-E	POLYACRYLAMI	LB	40.000	11.20000	448.00
0059	6071030000-E	COIR FIBER B	LF	105.000	9.00000	945.00
0060	6084000000-E	SEEDING AND	ACR	1.000	2200.00000	2200.00
0062	6090000000-E	SEED FOR REP	LB	50.000	4.40000	220.00
0063	6093000000-E	FERT FOR REP	TON	0.250	1400.00000	350.00
0064	6096000000-E	SEED FOR SUP	LB	50.000	4.40000	220.00
0065	6108000000-E	FERTILIZER T	TON	0.750	1125.00000	843.75
0067	6117000000-N	RESPONSE FOR	EA	25.000	50.00000	1250.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 133,632.25 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 133,632

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 20.79% or 159396.15 ✓ am
Required: 7.00% or 53677.24
<GOAL MET>

Contract Item Sheets For C202439

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	25,000.00	25,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (17 + 17.50 -L-)	Lump Sum LS	6,300.00	6,300.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	85 CY	8.00	680.00
0004	0043000000-N	226	GRADING	Lump Sum LS	70,000.00	70,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	250 CY	5.00	1,250.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	160 TON	20.00	3,200.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	250 SY	2.00	500.00
0009	0318000000-E	SP	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20 TON	30.00	600.00
0010	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	35 SY	2.00	70.00
0011	0335200000-E	SP	15" DRAINAGE PIPE	52 LF	40.00	2,080.00
0012	0335850000-E	SP	*** DRAINAGE PIPE ELBOWS (15")	4 EA	205.00	820.00
0013	0366000000-E	SP	15" RC PIPE CULVERTS, CLASS III	44 LF	37.00	1,628.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	75 TON	25.00	1,875.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	290 TON	68.00	19,720.00
0016	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	320 TON	70.00	22,400.00
0017	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	35 TON	650.00	22,750.00
0018	2000000000-N	806	RIGHT OF WAY MARKERS	12 EA	300.00	3,600.00

Contract Item Sheets For C202439

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2022000000-E	SP	SUBDRAIN EXCAVATION	56 CY	5.00	280.00
0020	2033000000-E	SP	SUBDRAIN FINE AGGREGATE	42 CY	10.00	420.00
0021	2044000000-E	SP	6" PERFORATED SUBDRAIN PIPE	250 LF	1.00	250.00
0022	2070000000-N	SP	SUBDRAIN PIPE OUTLETS	1 EA	1.00	1.00
0023	2077000000-E	SP	6" OUTLET PIPE (SUBDRAINS)	6 LF	1.00	6.00
0024	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	1,500.00	4,500.00
0025	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	350.00	350.00
0026	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	370.00	740.00
0027	2556000000-E	846	SHOULDER BERM GUTTER	273 LF	40.00	10,920.00
0028	3030000000-E	862	STEEL BM GUARDRAIL	275 LF	15.00	4,125.00
0029	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	3 EA	1.00	3.00
0030	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,200.00	4,800.00
0031	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,500.00	6,000.00
0032	3649000000-E	876	RIP RAP, CLASS B	3 TON	100.00	300.00
0033	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	765 SY	2.00	1,530.00
0034	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	50 LF	5.48	274.00
0035	4096000000-N	904	SIGN ERECTION, TYPE D	2 EA	165.00	330.00
0036	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U- CHANNEL	6 EA	5.00	30.00
0037	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	265 SF	5.50	1,457.50

Contract Item Sheets For C202439

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.05	568.70
0039	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	20.00	1,600.00
0040	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	6,080 LF	0.35	2,128.00
0041	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	9 EA	50.00	450.00
0042	6000000000-E	1605	TEMPORARY SILT FENCE	1,075 LF	2.00	2,150.00
0043	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	250 TON	28.00	7,000.00
0044	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	125 TON	30.00	3,750.00
0045	6012000000-E	1610	SEDIMENT CONTROL STONE	185 TON	29.00	5,365.00
0046	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	975.00	975.00
0047	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	3.75	187.50
0048	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	0.25 TON	1,200.00	300.00
0049	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	10.00	2,000.00
0050	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	100.00	400.00
0051	6029000000-E	SP	SAFETY FENCE	400 LF	2.25	900.00
0052	6030000000-E	1630	SILT EXCAVATION	140 CY	3.00	420.00
0053	6036000000-E	1631	MATTING FOR EROSION CONTROL	4,000 SY	1.25	5,000.00
0054	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	375 SY	6.00	2,250.00
0055	6042000000-E	1632	1/4" HARDWARE CLOTH	275 LF	5.00	1,375.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6070000000-N	SP	SPECIAL STILLING BASINS	4 EA	150.00	600.00
0057	6071010000-E	SP	WATTLE	80 LF	8.00	640.00
0058	6071020000-E	SP	POLYACRYLAMIDE (PAM)	40 LB	11.20	448.00
0059	6071030000-E	SP	COIR FIBER BAFFLE	105 LF	9.00	945.00
0060	6084000000-E	1660	SEEDING & MULCHING	1 ACR	2,200.00	2,200.00
0061	6087000000-E	1660	MOWING	1 ACR	50.00	50.00
0062	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	4.40	220.00
0063	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,400.00	350.00
0064	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	4.40	220.00
0065	6108000000-E	1665	FERTILIZER TOPDRESSING	0.75 TON	1,125.00	843.75
0066	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	10.00	100.00
0067	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	25 EA	50.00	1,250.00

Contract Item Sheets For C202439

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0068	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (17 + 17.50 -L-)	Lump Sum LS	10,000.00	10,000.00
0069	8021000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17 + 17.50 -L-)	Lump Sum LS	20,000.00	20,000.00
0070	8105520000-E	SP	3'-0" DIA DRILLED PIERS IN SOIL	22 LF	735.00	16,170.00
0071	8105620000-E	SP	3'-0" DIA DRILLED PIERS NOT IN SOIL	30 LF	735.00	22,050.00
0072	8111200000-E	SP	PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	16 LF	150.00	2,400.00
0073	8114000000-N	SP	SPT TESTING	2 EA	500.00	1,000.00
0074	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (17 + 17.50 -L-)	Lump Sum LS	12,500.00	12,500.00
0075	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	53.6 CY	900.00	48,240.00
0076	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (17 + 17.50 -L-)	Lump Sum LS	20,000.00	20,000.00
0077	8217000000-E	425	REINFORCING STEEL (BRIDGE)	11,625 LB	1.00	11,625.00
0078	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,072 LB	2.50	2,680.00
0079	8364000000-E	SP	HP12X53 STEEL PILES	150 LF	40.00	6,000.00
0080	8391000000-N	SP	STEEL PILE POINTS	10 EA	300.00	3,000.00
0081	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	325.5 LF	55.00	17,902.50
0082	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	395 TON	40.00	15,800.00
0083	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	440 SY	2.00	880.00
0084	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	7,500.00	7,500.00

Contract Item Sheets For C202439

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0085	8753200000-E	430	3'-0" X 3'-3" PRESTRESSED CONC BOX BEAMS	1,626.25 LF	175.00	284,593.75
0086	8897000000-N	SP	GENERIC STRUCTURE ITEM CSL TESTING	1 EA	1,000.00	1,000.00
TOTAL AMOUNT OF BID FOR ENTIRE PROJECT						\$766,817.70

0922/Aug26/Q33130.6/D400676250000/E86



Contract Number C202439
County MONTGOMERY

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

APPLE TUCK & ASSOC INC
Full name of Corporation

P.O. Box 904 RUTHERFORDON NC 28139
Address as Prequalified

Attest Christy Bare Secretary/Assistant Secretary
Select appropriate title

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

CHRISTY BARE Print or type Signer's name

DAVID C BARE Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
20th day of August 2011.
Deborah A Rodson
Signature of Notary Public
of Rutherford County
State of North Carolina
My Commission Expires: 2-26-2016

NOTARY SEAL

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

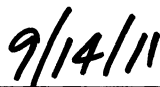
Contract No C202439

County (ies): Montgomery

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

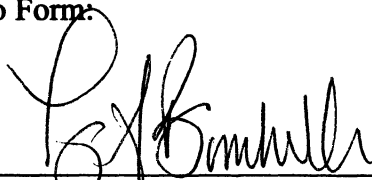


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Bond No. 9061314

Contract No. C202439, WBS 33783.3.1
County Montgomery

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution August 26, 2011

Name of Principal Contractor Apple Tuck & Associates, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

Contract Surety Bond Claims, c/o ZURICH, 1400 American Lane, Schaumburg, IL 60196-1056

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: (\$766,817.70) Seven Hundred Sixty Six Thousand
Eight Hundred Seventeen Dollars and 70/100

Contract ID No.: C202439, WBS 33783.3.1

County Name: Montgomery

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. C202439, WBS 33783.3.1
County Montgomery

Rev 5-17-11

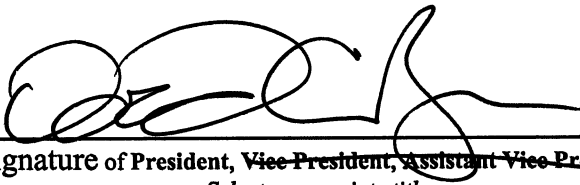
CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Apple Tuck & Associates, Inc.
Full name of Corporation

PO Box 904, Rutherfordton, NC 28139
Address as prequalified

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

DAVID C BARE
Print or type Signer's name

Affix Corporate Seal

Attest Christy Bare
Signature of Secretary, Assistant Secretary
Select appropriate title

Christy Bare
Print or type Signer's name

Contract No. C202439, WBS 33783.3.1
County Montgomery

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: August 26, 2011

Name of Principal Contractor: Apple Tuck & Associates, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland
Contract Surety Bond Claims, c/o ZURICH, 1400 American Lane, Schaumburg, IL 60196-1056

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

Amount of Bond: (\$766,817.70) Seven Hundred Sixty Six Thousand Eight Hundred Seventeen Dollars and 70/100

Contract ID No.: C202439, WBS 33783.3.1

County Name: Montgomery

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. C202439, WBS 33783.3.1
County Montgomery

Rev 5-17-11

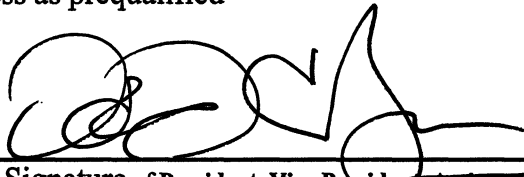
CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Apple Tuck & Associates, Inc.
Full name of Corporation

PO Box 904, Rutherfordton, NC 28139
Address as prequalified

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

DAVID C BARE
Print or type Signer's name

Affix Corporate Seal

Attest Christy Bare
Signature of Secretary, Assistant Secretary
Select appropriate title

Christy Bare
Print or type Signer's name

Bond Number: 9061314

Obligee: Department of Transportation, State of North Carolina

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint:

Angela M. Yount

of Charlotte, NC, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: Bond or undertaking number 9061314, issued on behalf of Apple Tuck & Associates, Inc., as Principal in a penalty not to exceed the sum of See Bond Form (\$See Bond Form) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 4th day of September, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gerald F. Haley

Gerald F. Haley Assistant Secretary

Frank E. Martin Jr.

Frank E. Martin, Jr. Vice President

State of Maryland }
County of Baltimore } ss:

On this 4th day of September, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



Connie A. Dunn

Connie A. Dunn Notary Public
My Commission Expires: July 14, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, 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 Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: “That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, 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 26th day of August, 2011.



L.L. Goucher

Assistant Secretary

