

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

C202323

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202323

WBS 32919.3.1 BRZ-1112(2)

T.I.P NO. B-3187

COUNTY OF HAYWOOD
THIS IS THE ROADWAY & STRUCTURE CONTRACT
ROUTE NUMBER SR 1112 LENGTH 0.099 MILES
LOCATION BRIDGE OVER WEST FORK PIGEON RIVER AND APPROACHES ON SR-1112
(CHAMBER FARM LANE).

CONTRACTOR R.E. BURNS & SONS CO., INC.
ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED SEPTEMBER 20, 2011
CONTRACT EXECUTION ~~OCT 11 2 2011~~ OCT 12 2011

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

Vendor 3 of 6 Vendors for Call Order 011 (Proposal ID C202323).

County: HAYWOOD
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 Sep 20 13:59:41 2011

Bid Checksum: 3D667128

Amendment Count: 0

Bidding Errors: No bidding errors.

DBE GOAL SET 7.0

Bid Total: \$1,728,109.00 ✓

DBE GOAL MET 7.2

Bond ID: SNC11307899

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$86,405.45

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/19/2011 2:33:44 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	
4914	WB APPALACHIAN CONSTRUCTION, INC. 728 UNION SCHOOL RD. , FRANKLIN, NC 28734		Sub 123,533.00	✓ arm
			TOTAL: \$123,533.00 7.15%	✓ arm

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	

Bid Bond Data Info - Contractor Responses:

BondID: SNC11307899
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Liberty Mutual Insurance Company
 Bond Execution Date: 9/19/2011 2:33:44 PM
 Bond Amount: \$86,405.45 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 08-19-11
Revised:

Contract ID: C202323 Project(s): BRZ-1112(2)
Letting Date: 09-20-11 Call Order: 011
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATION	LUMP				85,000.00
0002	0000400000-N CONSTRUCTION SURVEYING	LUMP				10,000.00
0003	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (11+30.50)	LUMP				20,000.00
0004	0038000000-E SHALLOW UNDERCUT	CY	100.000	8.00000		800.00
0005	0043000000-N GRADING	LUMP				112,000.00
0006	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON	150.000	28.00000		4,200.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY	6.000	10.50000		63.00
0009	0195000000-E SELECT GRANULAR MATERIAL	CY	100.000	38.00000		3,800.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	275.000	4.00000		1,100.00

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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	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	39.000 TON	38.00000		1,482.00	
0012	0320000000-E FOUNDATION CONDITIONING FABRIC	125.000 SY	2.45000		306.25	
0013	0335200000-E 15" DRAINAGE PIPE	48.000 LF	30.50000		1,464.00	
0014	0335300000-E 18" DRAINAGE PIPE	224.000 LF	32.50000		7,280.00	
0015	0343000000-E 15" SIDE DRAIN PIPE	92.000 LF	24.00000		2,208.00	
0016	0995000000-E PIPE REMOVAL	66.000 LF	11.00000		726.00	
0017	1121000000-E AGGREGATE BASE COURSE	95.000 TON	25.50000		2,422.50	
0018	1220000000-E INCIDENTAL STONE BASE	750.000 TON	22.00000		16,500.00	
0019	1275000000-E PRIME COAT	70.000 GAL	7.00000		490.00	
0020	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	855.000 TON	82.00000		70,110.00	
0021	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	345.000 TON	82.00000		28,290.00	
0022	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	630.000 TON	84.00000		52,920.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	1575000000-E ASPHALT BINDER FOR PLANT MIX	95.000 TON	650.00000		61,750.00	
0024	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	169.00000		4,225.00	
0025	2022000000-E SUBDRAIN EXCAVATION	23.000 CY	2.00000		46.00	
0026	2033000000-E SUBDRAIN FINE AGGREGATE	17.000 CY	20.00000		340.00	
0027	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	2.50000		250.00	
0028	2070000000-N SUBDRAIN PIPE OUTLETS	1.000 EA	50.00000		50.00	
0029	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	15.00000		90.00	
0030	2286000000-N MASONRY DRAINAGE STRUCTURES	4.000 EA	1,200.00000		4,800.00	
0031	2366000000-N FRAME WITH TWO GRATES, STD 840.24	2.000 EA	650.00000		1,300.00	
0032	2367000000-N FRAME WITH TWO GRATES, STD 840.29	2.000 EA	600.00000		1,200.00	
0033	2738000000-E GENERIC PAVING ITEM 6" CONCRETE DRIVEWAYS	15.000 SY	125.00000		1,875.00	
0034	3030000000-E STEEL BM GUARDRAIL	25.000 LF	14.00000		350.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	75.000 LF	14.50000		1,087.50	
0036	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	11.00000		55.00	
0037	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	2.000 EA	1,700.00000		3,400.00	
0038	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	2.000 EA	2,200.00000		4,400.00	
0039	3435000000-N GENERIC GUARDRAIL ITEM TIMBER BOLLARDS	10.000 EA	165.00000		1,650.00	
0040	3569000000-E BARBED WIRE FENCE RESET	520.000 LF	6.00000		3,120.00	
0041	3574000000-E GENERIC FENCING ITEM WOODEN FENCE RESET	630.000 LF	11.00000		6,930.00	
0042	3628000000-E RIP RAP, CLASS I	85.000 TON	45.00000		3,825.00	
0043	3649000000-E RIP RAP, CLASS B	5.000 TON	50.00000		250.00	
0044	3656000000-E FILTER FABRIC FOR DRAINAGE	775.000 SY	2.20000		1,705.00	
0045	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	39.000 LF	4.00000		156.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	4102000000-N SIGN ERECTION, TYPE E	EA 3.000	40.00000		120.00	
0047	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	EA 9.000	1.00000		9.00	
0048	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 639.000	3.45000		2,204.55	
0049	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 386.000	23.01000		8,881.86	
0050	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 152.000	6.95000		1,056.40	
0051	4430000000-N DRUMS	EA 98.000	70.00000		6,860.00	
0052	4435000000-N CONES	EA 30.000	10.00000		300.00	
0053	4445000000-E BARRICADES (TYPE III)	LF 164.000	41.25000		6,765.00	
0054	4450000000-N FLAGGER	HR 2,760.000	0.01000		27.60	
0055	4507000000-E WATER FILLED BARRIER	LF 100.000	40.00000		4,000.00	
0056	4516000000-N SKINNY DRUM	EA 50.000	27.00000		1,350.00	
0057	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 80.000	10.00000		800.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	4810000000-E PAINT PAVEMENT MARKING LINES (4")	23,642.000 LF	0.17000		4,019.14	
0059	4815000000-E PAINT PAVEMENT MARKING LINES (6")	4,230.000 LF	0.25000		1,057.50	
0060	4835000000-E PAINT PAVEMENT MARKING LINES (24")	104.000 LF	3.00000		312.00	
0061	5888000000-E GENERIC UTILITY ITEM 12" STEEL ENCASEMENT PIPE	44.000 LF	50.00000		2,200.00	
0062	6000000000-E TEMPORARY SILT FENCE	1,775.000 LF	2.75000		4,881.25	
0063	6006000000-E STONE FOR EROSION CONTROL, CLASS A	500.000 TON	35.00000		17,500.00	
0064	6009000000-E STONE FOR EROSION CONTROL, CLASS B	100.000 TON	42.00000		4,200.00	
0065	6012000000-E SEDIMENT CONTROL STONE	175.000 TON	35.00000		6,125.00	
0066	6015000000-E TEMPORARY MULCHING	1.500 ACR	800.00000		1,200.00	
0067	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	4.40000		440.00	
0068	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	1,000.00000		1,250.00	
0069	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	10.00000		2,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0070	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA 4.000	160.00000		640.00	
0071	6029000000-E SAFETY FENCE	LF 1,130.000	2.50000		2,825.00	
0072	6030000000-E SILT EXCAVATION	CY 750.000	5.25000		3,937.50	
0073	6036000000-E MATTING FOR EROSION CONTROL	SY 10,000.000	1.35000		13,500.00	
0074	6037000000-E COIR FIBER MAT	SY 30.000	5.50000		165.00	
0075	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	SY 200.000	5.00000		1,000.00	
0076	6042000000-E 1/4" HARDWARE CLOTH	LF 450.000	4.00000		1,800.00	
0077	6071020000-E POLYACRYLAMIDE (PAM)	LB 30.000	19.00000		570.00	
0078	6071030000-E COIR FIBER BAFFLE	LF 375.000	7.00000		2,625.00	
0079	6071050000-E **" SKIMMER (1-1/2")	EA 3.000	861.00000		2,583.00	
0080	6084000000-E SEEDING & MULCHING	ACR 1.500	1,800.00000		2,700.00	
0081	6087000000-E MOWING	ACR 1.500	10.00000		15.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0082	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.50000		275.00	
0083	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0084	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	5.00000		250.00	
0085	6108000000-E FERTILIZER TOPDRESSING	1.500 TON	1,100.00000		1,650.00	
0086	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	15.00000		150.00	
0087	6117000000-N RESPONSE FOR EROSION CONTROL	18.000 EA	1.00000		18.00	
0088	6123000000-E REFORESTATION	0.250 ACR	2,000.00000		500.00	
Section 0001 Total						637,030.05
Section 0004 STRUCTURE ITEMS						
Alt Group						
0089	8096000000-E PILE EXCAVATION IN SOIL	49.000 LF	140.00000		6,860.00	
0090	8097000000-E PILE EXCAVATION NOT IN SOIL	102.000 LF	1.00000		102.00	
0091	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (11+30.50-L-)	LUMP	LUMP		3,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0092	8147000000-E REINFORCED CONCRETE DECK SLAB	4,435.000 SF	25.00000		110,875.00	
0093	8161000000-E GROOVING BRIDGE FLOORS	4,105.000 SF	0.63000		2,586.15	
0094	8182000000-E CLASS A CONCRETE (BRIDGE)	36.600 CY	685.00000		25,071.00	
0095	8210000000-N BRIDGE APPROACH SLABS, STATION***** (11+30.50-L-)	LUMP	LUMP		15,000.00	
0096	8217000000-E REINFORCING STEEL (BRIDGE)	5,482.000 LB	1.40000		7,674.80	
0097	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP	LUMP		631,100.00	
0098	8364000000-E HP12X53 STEEL PILES	430.000 LF	46.00000		19,780.00	
0099	8468000000-E ONE BAR METAL RAIL	299.000 LF	100.00000		29,900.00	
0100	8517000000-E 1'-***X ***** CONCRETE PARA- PET (1'-0" X 1'-6")	314.000 LF	45.00000		14,130.00	
0101	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		10,000.00	
0102	8860000000-N GENERIC STRUCTURE ITEM REHABILITATION OF EXISTING STRUCTURE	LUMP	LUMP		215,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0004 Total				1,091,078.95	
	Bid Total				1,728,109.00	

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

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

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

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:08-19-11
 PAGE: 13

PROPOSAL: C202323
 LETTING: L110920 CALL: 011
 VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0005	0043000000-N	GRADING	LS	1.000	85105.00000	85105.00
0007	0080000000-E	CLASS IV SUB	TON	150.000	28.00000	4200.00
0009	0195000000-E	SELECT GRANU	CY	100.000	38.00000	3800.00
0013	0335200000-E	15" DRAINAGE	LF	48.000	30.50000	1464.00
0014	0335300000-E	18" DRAINAGE	LF	224.000	32.50000	7280.00
0015	0343000000-E	15" SIDE DRA	LF	92.000	24.00000	2208.00
0016	0995000000-E	PIPE REMOVAL	LF	66.000	11.00000	726.00
0018	1220000000-E	INCIDENTAL S	TON	750.000	25.00000	18750.00

DBE SUBCONTRACTOR: 4914 APPALACHIAN CONSTRUCTION, INC.
 Will Use Quote: Yes

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 123,533.00 ✓ arm
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 123,533

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 7.15% or 123533.00 ✓ arm
 Required: 7.00% or 120967.63
 <GOAL MET>

Contract Item Sheets For C202323

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	85,000.00	85,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	10,000.00	10,000.00
0003	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (11 + 30.50)	Lump Sum LS	20,000.00	20,000.00
0004	0038000000-E	SP	SHALLOW UNDERCUT	100 CY	8.00	800.00
0005	0043000000-N	226	GRADING	Lump Sum LS	112,000.00	112,000.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	150 TON	28.00	4,200.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	6 CY	10.50	63.00
0009	0195000000-E	SP	SELECT GRANULAR MATERIAL	100 CY	38.00	3,800.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	275 SY	4.00	1,100.00
0011	0318000000-E	SP	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	39 TON	38.00	1,482.00
0012	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	125 SY	2.45	306.25
0013	0335200000-E	SP	15" DRAINAGE PIPE	48 LF	30.50	1,464.00
0014	0335300000-E	SP	18" DRAINAGE PIPE	224 LF	32.50	7,280.00
0015	0343000000-E	SP	15" SIDE DRAIN PIPE	92 LF	24.00	2,208.00
0016	0995000000-E	340	PIPE REMOVAL	66 LF	11.00	726.00
0017	1121000000-E	520	AGGREGATE BASE COURSE	95 TON	25.50	2,422.50
0018	1220000000-E	545	INCIDENTAL STONE BASE	750 TON	22.00	16,500.00
0019	1275000000-E	600	PRIME COAT	70 GAL	7.00	490.00

Contract Item Sheets For C202323

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	855 TON	82.00	70,110.00
0021	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE 119.0B	345 TON	82.00	28,290.00
0022	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	630 TON	84.00	52,920.00
0023	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	95 TON	650.00	61,750.00
0024	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	169.00	4,225.00
0025	2022000000-E	SP	SUBDRAIN EXCAVATION	23 CY	2.00	46.00
0026	2033000000-E	SP	SUBDRAIN FINE AGGREGATE	17 CY	20.00	340.00
0027	2044000000-E	SP	6" PERFORATED SUBDRAIN PIPE	100 LF	2.50	250.00
0028	2070000000-N	SP	SUBDRAIN PIPE OUTLETS	1 EA	50.00	50.00
0029	2077000000-E	SP	6" OUTLET PIPE (SUBDRAINS)	6 LF	15.00	90.00
0030	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,200.00	4,800.00
0031	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	2 EA	650.00	1,300.00
0032	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	600.00	1,200.00
0033	2738000000-E	SP	GENERIC PAVING ITEM 6" CONCRETE DRIVEWAYS	15 SY	125.00	1,875.00
0034	3030000000-E	862	STEEL BM GUARDRAIL	25 LF	14.00	350.00
0035	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	75 LF	14.50	1,087.50
0036	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	11.00	55.00
0037	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	2 EA	1,700.00	3,400.00

Contract Item Sheets For C202323

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	2 EA	2,200.00	4,400.00
0039	3435000000-N	SP	GENERIC GUARDRAIL ITEM TIMBER BOLLARDS	10 EA	165.00	1,650.00
0040	3569000000-E	867	BARBED WIRE FENCE RESET	520 LF	6.00	3,120.00
0041	3574000000-E	867	GENERIC FENCING ITEM WOODEN FENCE RESET	630 LF	11.00	6,930.00
0042	3628000000-E	876	RIP RAP, CLASS I	85 TON	45.00	3,825.00
0043	3649000000-E	876	RIP RAP, CLASS B	5 TON	50.00	250.00
0044	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	775 SY	2.20	1,705.00
0045	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	39 LF	4.00	156.00
0046	4102000000-N	904	SIGN ERECTION, TYPE E	3 EA	40.00	120.00
0047	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	9 EA	1.00	9.00
0048	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	639 SF	3.45	2,204.55
0049	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	386 SF	23.01	8,881.86
0050	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	152 SF	6.95	1,056.40
0051	4430000000-N	1130	DRUMS	98 EA	70.00	6,860.00
0052	4435000000-N	1135	CONES	30 EA	10.00	300.00
0053	4445000000-E	1145	BARRICADES (TYPE III)	164 LF	41.25	6,765.00
0054	4450000000-N	1150	FLAGGER	2,760 HR	0.01	27.60
0055	4507000000-E	SP	WATER FILLED BARRIER	100 LF	40.00	4,000.00
0056	4516000000-N	1180	SKINNY DRUM	50 EA	27.00	1,350.00

Contract Item Sheets For C202323

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	80 EA	10.00	800.00
0058	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	23,642 LF	0.17	4,019.14
0059	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	4,230 LF	0.25	1,057.50
0060	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	104 LF	3.00	312.00
0061	5888000000-E	SP	GENERIC UTILITY ITEM 12" STEEL ENCASEMENT PIPE	44 LF	50.00	2,200.00
0062	6000000000-E	1605	TEMPORARY SILT FENCE	1,775 LF	2.75	4,881.25
0063	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	500 TON	35.00	17,500.00
0064	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	100 TON	42.00	4,200.00
0065	6012000000-E	1610	SEDIMENT CONTROL STONE	175 TON	35.00	6,125.00
0066	6015000000-E	1615	TEMPORARY MULCHING	1.5 ACR	800.00	1,200.00
0067	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	4.40	440.00
0068	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	1,000.00	1,250.00
0069	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	10.00	2,000.00
0070	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	160.00	640.00
0071	6029000000-E	SP	SAFETY FENCE	1,130 LF	2.50	2,825.00
0072	6030000000-E	1630	SILT EXCAVATION	750 CY	5.25	3,937.50
0073	6036000000-E	1631	MATTING FOR EROSION CONTROL	10,000 SY	1.35	13,500.00
0074	6037000000-E	SP	COIR FIBER MAT	30 SY	5.50	165.00

Contract Item Sheets For C202323

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	200 SY	5.00	1,000.00
0076	6042000000-E	1632	1/4" HARDWARE CLOTH	450 LF	4.00	1,800.00
0077	6071020000-E	SP	POLYACRYLAMIDE (PAM)	30 LB	19.00	570.00
0078	6071030000-E	SP	COIR FIBER BAFFLE	375 LF	7.00	2,625.00
0079	6071050000-E	SP	*** SKIMMER (1-1/2")	3 EA	861.00	2,583.00
0080	6084000000-E	1660	SEEDING & MULCHING	1.5 ACR	1,800.00	2,700.00
0081	6087000000-E	1660	MOWING	1.5 ACR	10.00	15.00
0082	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.50	275.00
0083	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0084	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	5.00	250.00
0085	6108000000-E	1665	FERTILIZER TOPDRESSING	1.5 TON	1,100.00	1,650.00
0086	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	15.00	150.00
0087	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	18 EA	1.00	18.00
0088	6123000000-E	1670	REFORESTATION	0.25 ACR	2,000.00	500.00

Contract Item Sheets For C202323

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0089	8096000000-E	SP	PILE EXCAVATION IN SOIL	49 LF	140.00	6,860.00
0090	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	102 LF	1.00	102.00
0091	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (11 + 30.50-L-)	Lump Sum LS	3,000.00	3,000.00
0092	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	4,435 SF	25.00	110,875.00
0093	8161000000-E	420	GROOVING BRIDGE FLOORS	4,105 SF	0.63	2,586.15
0094	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	36.6 CY	685.00	25,071.00
0095	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (11 + 30.50-L-)	Lump Sum LS	15,000.00	15,000.00
0096	8217000000-E	425	REINFORCING STEEL (BRIDGE)	5,482 LB	1.40	7,674.80
0097	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	342,600 LS	631,100.00	631,100.00
0098	8364000000-E	SP	HP12X53 STEEL PILES	430 LF	46.00	19,780.00
0099	8468000000-E	460	ONE BAR METAL RAIL	299 LF	100.00	29,900.00
0100	8517000000-E	460	1'-***X ***** CONCRETE PARAPET (1'-0" X 1'-6")	314 LF	45.00	14,130.00
0101	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	10,000.00	10,000.00
0102	8860000000-N	SP	GENERIC STRUCTURE ITEM REHABILITATION OF EXISTING STRUCTURE	Lump Sum LS	215,000.00	215,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,728,109.00

Contract Number C202323
County Haywood

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, North Carolina 28687
Address as Prequalified

Attest Nancy L. Burns By KCBurns
~~Secretary/Assistant Secretary~~ ~~President/Vice President/Assistant Vice President~~
Select appropriate title Select appropriate title

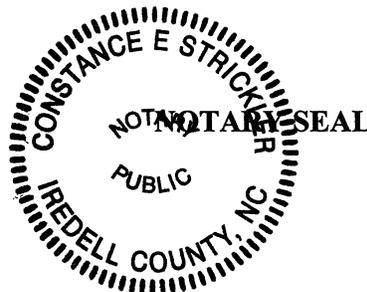
Nancy L. Burns
Print or type Signer's name

Kevin C. Burns
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
4 day of October 2011.
Constance E Strickler
Signature of Notary Public
of Iredell County
State of North Carolina
My Commission Expires: June 28, 2014



DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

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

DEBARMENT CERTIFICATION

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

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

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

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

Check here if an explanation is attached to this certification.

Contract No **C202323**

County (ies): **Haywood**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

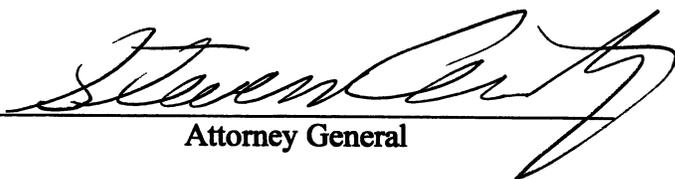


Contract Officer

10/12/11

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202323
County Haywood

Rev 5-17-11

CONTRACT PAYMENT BOND
BOND NO. 837051483

Date of Payment Bond Execution September 29, 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: One Million Seven Hundred Twenty Eight Thousand One Hundred Nine Dollars and 00/100ths (\$1,728,109.00)

Contract ID No.: C202323

County Name: Haywood 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.
County

C202323
Haywood

Rev 5-17-11

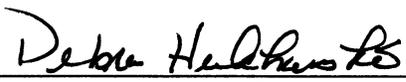
CONTRACT PAYMENT BOND

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, E. Syracuse NY 13057
Address of Attorney-in-Fact

Contract No.
County

C202323
Haywood

Rev 5-17-11

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



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

Contract No. C202323
County Haywood

Rev 5-17-11

CONTRACT PERFORMANCE BOND
BOND NO. 837051483

Date of Performance Bond Execution: September 29, 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: One Million Seven Hundred Twenty Eight Thousand One Hundred Nine Dollars and 00/100ths (\$1,728,109.00)

Contract ID No.: C202323

County Name: Haywood 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. C202323
County Haywood

Rev 5-17-11

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, E. Syracuse NY 13057
Address of Attorney-in-Fact

Contract No. C202323
County Haywood

Rev 5-17-11

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 KCB

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

T. Mikolajewski

Assistant Secretary

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 29th day of SEPTEMBER, 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 15th day of March, 2011.

LIBERTY MUTUAL INSURANCE COMPANY

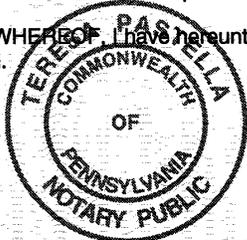
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 15th day of March, 2011, 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
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 29th day of September, 2011.



By David M. Carey
David M. Carey, Assistant Secretary

NOT VALID FOR MORTGAGE, NOTE, LEASE, RENTAL, RETAIL OR CREDIT, MINIMUM WARRANTY, 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.