

CONTRACTOR'S PROPOSAL
TO THE
CITY OF MONTCLAIR
FOR THE CONSTRUCTION OF
WESTERN AND CENTRAL ZONE 3 MONTCLAIR STREET
REHABILITATION PROJECT

Hardy & Harper, Inc

Company

1312 East Warner Ave.

Address

Santa Ana, CA 92705

714-444-1851

Telephone Number

215952

California State License Number

TO THE HONORABLE CITY COUNCIL, CITY OF MONTCLAIR, CALIFORNIA:

Pursuant to the Public Notice Inviting Bids, the undersigned bidder declares that he or she has carefully examined the location of the proposed work, that he or she has examined the plans and specifications for the above titled project and read the accompanying proposal requirements, and hereby proposes to furnish all materials and do all work required to complete said work in accordance with said plans and specifications for the unit or lump sum prices set forth in the Schedule of Work Items.

The undersigned bidder further declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without any connection with any other party or parties making a proposal for the same purpose, that the proposal is in all respects fair and without collusion or fraud; that he or she has read that the Notice Inviting Bids and the Instructions to Bidders and agrees to all the stipulations contained therein; and that he or she proposes and agrees, if this proposal be accepted, to contract in the form of agreement prescribed, to furnish all necessary labor, equipment and materials, to perform all the work specified in the bid documents and in the Plans and Specifications, and to complete the same within the time stipulated therein; and

that he or she will accept in full payment therefor the unit or lump sum prices set forth in the Schedule of Work Items, to wit:

SCHEDULE OF WORK ITEMS

BID SCHEDULE

ITEM NO.	ESTIMATED QUANTITY	UNITS	DESCRIPTION OF WORK	UNIT PRICE	SUB-TOTAL
1.	1	LS	National Pollutant Discharge Elimination System (NPDES) compliance	3,900	3,900
2.	1	LS	Traffic Control, Safety and Public Notification Including (42) Signs	95,000	95,000
3.	2953	SF	Remove and Replace Asphalt Pavement and Tree Roots	7.50	22,147.50
4.	1513	LF	Remove and Replace 6" PCC Curb and Gutter	39	59,007
5.	2878	LF	Remove and Replace 8" PCC Curb and Gutter	43	123,754
6.	196	LF	Remove and Replace 10" PCC Curb and Gutter	39	7,644
7.	116	LF	Remove and Replace 6" Curb Only	35	4,060
8.	354	LF	Remove and Replace 8" Curb Only	37	13,098
9.	528	SF	Remove and Replace PCC Cross Gutter	17	8,976
10.	4456	SF	6" PCC Drive Approach	13	57,928
11.	1008	SF	6" PCC Spandrel	13	13,104

12.	43,842	SF	Remove and Replace 4" PCC Sidewalk Including Tree Root Removal	7.00	306,894
13.	158	EA	Remove and Replace PCC Curb Ramp	3,300	521,400
14.	3046	LF	PCC Grind Sidewalks and Flow lines at 16" Wide	8.00	24,368
15.	213,218	SY	Cold Plane	1.39	296,373.02
16.	25,194	TN	Placement of .17 Asphalt Concrete Pavement Overlay	54.45	1,371,813.30
17.	14	EA	Replace Manhole Ring and Cover	700	9,800
18.	152	EA	Adjust Sewer Manhole to Grade	700	106,400
19.	1	LS	Placement of Traffic Striping and Pavement Markings	13,301.18	13,301.18
20.	43	EA	Paint Residential Curb Face Address	24	1,032

TOTAL (Items 1 through 20) \$ 3,060,000

It is understood that bids are required for the entire work, except as may be modified in the Notice Inviting Bids. The bidder shall set forth for each item of work, in clearly legible figures, an item price and a subtotal for the item in the respective spaces provided for this purpose. The subtotal of unit basis items will be determined as the product of the item price bid and the estimated quantity set forth for the item. In case of discrepancy between the item price and the subtotal set forth for the item, the item price shall prevail, provided, however, if the amount set forth as an item price is omitted or is the same amount as the entry in the "SUBTOTAL" column, then the amount set forth in the "SUBTOTAL" column for the item shall prevail in accordance with the following:

- (1) As to lump sum items, the amount set forth in the "SUBTOTAL" column shall be the item price.

- (2) As to unit basis items, the amount set forth in the "SUBTOTAL" column shall be divided by the estimated quantity for the item and the price thus obtained shall be the item price.

The bidder further agrees that within ten (10) calendar days from the date of written notice of award of the contract, he will execute a contract in accordance with the proposal as accepted, will secure the required insurance and will furnish the required bonds; and that upon failure or refusal to do so within said time, then the proposal guaranty accompanying this proposal shall be forfeited to the City of Montclair for such failure or refusal and shall be deposited as moneys belonging to the city; provided that if said bidder shall execute a contract, secure the required insurance and furnish the required bonds within the time aforesaid, his check shall be returned to him within five (5) calendar days thereafter.

DECLARATION OF ELIGIBILITY TO CONTRACT

[Pursuant to Labor Code Section 1777.1 and Public Contract Code Section 6109]

The undersigned contractor certifies and declares that:

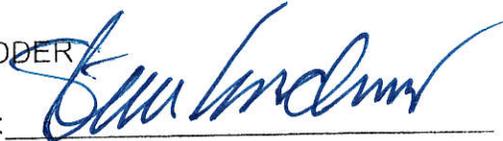
1. The undersigned contractor is aware of Sections 1777.1 and 1777.7 of the California Labor Code, which prohibit a contractor or subcontractor who has been found by the Labor Commissioner or the Director of Industrial Relations to be in violation of certain provisions of the Labor Code, from bidding on, or being awarded, or performing work as a subcontractor on a public works project for specified periods of time.
2. The undersigned contractor is not ineligible to bid on, be awarded or perform work as a subcontractor on a public works project by virtue of the foregoing provisions of Sections 1777.1 or 1777.7 of the California Labor Code or any other provision of law.
3. The undersigned contractor is aware of California Public Contract Code Section 6109, which states:
 - (a) A public entity, as defined in Section 1100 (of the Public Contract Code), may not permit a contractor or subcontractor who is ineligible to bid or work on, or be awarded, a public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code to bid on, be awarded, or perform work as a subcontractor on, a public works project. Every public works project shall contain a provision prohibiting a contractor from performing work on a public works project with a subcontractor who is ineligible to perform work on the public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code.
 - (b) Any contract on a public works project entered into between a contractor and a debarred subcontractor is void as a matter of law. A debarred subcontractor may not receive any public money for performing work as a subcontractor on a public works contract, and any public money that may have been paid to a debarred subcontractor by a contractor on the project shall be returned to the awarding body. The contractor shall be responsible for the payment of wages to workers of a debarred subcontractor who has been allowed to work on the project.

4. The undersigned contractor has investigated the eligibility of each and every subcontractor the undersigned contractor intends to use on this public works project, and determined that none of them is ineligible to perform work as a subcontractor on a public works project by virtue of the foregoing provisions of the Public Contract Code, Sections 1777.1 or 1777.7 of the Labor Code, or any other provision of law.

The undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 31st day of October, 2016, at Santa Ana, California.

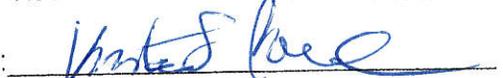
BIDDER

By:



Title Steve Kirschner, Vice President

By:



Title Kristen S. Paulino - Secretary

By:

Title

(SEAL)

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Orange

Subscribed and sworn to (or affirmed) before me
 on this 31 day of October, 2016,
 by Steve Kirschner
 (1) _____



(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature *[Handwritten Signature]*
Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
 Title or Type of Document: Non-Collusion Affidavit Document Date: October 31, 2016
 Number of Pages: 1 Signer(s) Other Than Named Above: None

INFORMATION REQUIRED OF BIDDER

The bidder is required to supply the following information that shall be considered part of his or her proposal. Additional sheets may be attached if necessary.

1. Name: Hardy & Harper, Inc
2. Address: 1312 E. Warner Ave., Santa Ana, CA 92705
3. Telephone: Voice: 714-444-1851 Fax: 714-444-2801
4. Type of Firm: Individual Partnership Corporation (Circle one)
5. Organized under the laws of the State of California
6. Contractor's License No. and Class: 215952; A, C-8, C12
7. List the names, addresses and phone number of all members of the firm or names and titles of all officers of the corporation:

Name	Address	Phone (Voice)
<u>Fred T. Maas, Jr - President, Treasurer; 1312 E. Warner Ave., Santa Ana, CA 92705; (714) 444-1851</u>		
<u>Dan T. Maas - CEO;</u>	<u>1312 E. Warner Ave., Santa Ana, CA 92705;</u>	<u>(714) 444-1851</u>
<u>Steve Kirschner - Vice President; 1312 E. Warner Ave., Santa Ana, CA 92705; (714) 444-1851</u>		
<u>Kristen S. Paulino - Secretary; 1312 E. Warner Ave., Santa Ana, CA 92705; (714) 444-1851</u>		

8. Number of years experience as a contractor in construction work: 70
9. List at least three projects completed within the past five years:

Contract Amount	Type of Work	Completion Date	Owner/Telephone
Please see attachment "A"			

**PUBLIC WORKS REFERENCES
2015/2016**

Attachment A

Owner/Agency	Contact	Project (Amount & Completion Date)
City of Pasadena 100 N Garfield Ave Pasadena, CA 92570	Richard Yee (626) 744-4643	Preventive Maintenance Street FEDERAL ID NO. STPL-5064(081) \$1,518,231.24 8/15
City of Covina 125 E. College Street Covina, CA 91723-2199	Natalie Avila (626) 384-5400 RAvila@covinaca.gov	Resurfacing of Streets at Hollenbeck Ave, Cypress St. \$624,297.95 8/15
City of Laguna Niguel 30111 Crown Valley Parkway Laguna Niguel, CA 92677	Frank Borges (949) 362-4325 FBorges@cityoflagunaniguel.org	St. Christopher Neighborhoods & Via Vetti Pavement Rehab Improvement No. 15-02 \$1,226,861.00 9/15
City of Norco 2870 Clark Ave Norco, CA 92860	Bill Thomas (951) 735-3900	FY 2015-16 Annual Minor Street Rehabilitation Phase I \$777,000.00 10/15
City of Walnut 21201 La Puente Rd. Walnut, CA 91789	Natalie Avila, P.E (909) 594-9702, Ext. 315 navila@rkagroup.com	Area 1 & 2 Street Resurfacing Project \$1,077,000.00 11/15
City of Rancho Cucamonga 10500 Civic Center Drive Rancho Cucamonga, CA 91730	Romeo David (909)477-2740 Romeo.David@cityofrc.us	Foothill Blvd Pavement Rehabilitation \$1,076,200.00 11/15
City of Norco 2870 Clark Ave Norco, CA 92860	Bill Thomas (951) 735-3900	FY 2015-16 Annual Minor Street Rehabilitation Phase II \$547,000.00 11/15
City of Simi Valley 2929 Tapo Canyon Road Simi Valley, CA 93063	Fuad Shamout, P.E (805) 583-6788 FShamout@simivalley.org	FY 2015-16 Annual Minor Street Rehabilitation \$1,213,960.50 11/15

**PUBLIC WORKS REFERENCES
2015/2016**

Attachment A

Owner/Agency	Contact	Project's Info
City of Redondo Beach 415 Diamond Street Redondo Beach, CA 90277	Lauren Sablan, P.E (310) 318-0661 Lauren.Sablan@redondo.org	Aviation Blvd Resurfacing Project \$367,293.00 12/15
City of Palm Desert 73-510 Fred Waring Drive Palm Desert, CA 92260	Bo Chen, P.E (310) 370-5099 bochen@cityofpalmdesert.org	Portola Ave STP Rehabilitation Project \$639,204.74 2/16
City of Lake Elsinore 130 South Main Street Lake Elsinore, CA 92530	Ken Rukavina (951) 674-3124 krukavina@lake-elsinore.org	FY 15-16 Citywide Pavement Rehab Phase 5 \$560,736.74 2/16
City of Lake Elsinore 130 South Main Street Lake Elsinore, CA 92530	Ken Rukavina (951) 674-3124 krukavina@lake-elsinore.org	FY 15-16 Citywide Pavement Rehab Phase 4 \$895,665.91 3/16
City of Colton 650 N. La Cadena Drive Colton, CA 92324	Jess Sotto (909) 370-5099 JSotto@coltonca.gov	FY 15-16 Asphalt Paving Project \$1,569,242.84 4/16
City of Pasadena 100 N. Garfield Ave Pasadena, CA 91109	Sean Singletary (626) 744-4273 ssingletary@cityofpasadena.net	Preventive Maintenance of Streets 2015 \$1,182,829.46 4/6/16
City of Westminster 8200 Westminster Blvd Westminster, CA 92683	Tuan Pham (714) 898-3311 tpham@westminster-ca.gov	Citywide Street Improvement For Various Residential Streets \$679,108.61 5/16
City of Arcadia 240 West Huntington Dr Arcadia, CA 91066	Jan Balanay (626) 256-6582 jbalanay@arcadiaca.gov	Pavement Rehab Program Camino Real Ave & 6th Ave Project # 33854016 \$632,386.21 7/16
City of Fontana 8353 Sierra Ave Fontana, CA 92335	Ticha Loera (909) 350-6696 tloera@fontana.org	Pavement Rehab of Slover Ave From Mulberry Ave to Cherry Ave \$1,313,161.86 8/16
City of La Canada Flintridge 1327 Foothill Blvd La Canada Flintridge, CA 91011	Greg Kwolek (818) 790-8880 gkwolek@lcf.ca.gov	2016 Citywide Street Resurfacing \$1,084,562.67 8/16

INFORMATION REQUIRED OF BIDDER

10. All persons or parties submitting a bid proposal on the project shall complete the following form setting forth the Item Number (as specified in the "SCHEDULE OF WORK ITEMS"), the name, location, and place of business of each subcontractor who will perform work or labor or render services to the prime Contractor in or about the construction of the work of improvements, or a subcontractor licensed by the State of California, who, under subcontract to the prime Contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of one percent (1/2%) of the prime Contractor's total bid, or, if the bid is for the construction of streets or highways, including bridges, in excess of one-half of one percent (1/2%) of the prime contractor's total bid or ten thousand dollars (\$10,000.00), whichever is greater.

It is noted that if a Contractor fails to specify a subcontract for any portion of the work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the work except by written consent of the awarding authority. The requirement of the submission of this list, the legal consequences for failure of the Contractor to do so, and other particular details concerning the same shall be as set forth in the "Subletting and Subcontracting Fair Practices Act," California Public Contract Code (§ 4100, *et seq.*) to which the bidder is hereby referred.

Type of Work Bid Item(s)	Name of Firm or Contractor	Location of mill, shop or office City and State
17 & 18	FBS Utilities	1320 E 6th St Corona, CA
19 & 20	Safe USA	1030 N Mountain Ave Ontario, CA

92879
CA
91762

*Bidders shall provide contractors' license numbers, phone numbers, email addresses and point of contact information for each of the listed sub-contractors within 72 hours of receiving written request from the City Engineer or his appointed designee. Each

INFORMATION REQUIRED OF BIDDER

subcontractor is required to possess a City of Montclair business license before a Notice to Proceed can be issued.

11. List the name of the person who inspected the site of the proposed work for your firm: Corey Kirschner

Date of Inspection: 10/31/16

12. List any disciplinary action and the ultimate disposition within the past ten (10) years taken against you or your company by the State Contractor's License Board:

No

13. Note: If requested by the City, the bidder shall furnish a notarized financial statement, financial data, or other information and reference sufficiently comprehensive to permit an appraisal of his current financial condition.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE, COMPLETE, ACCURATE AND CORRECT.



CONTRACTOR'S SIGNATURE

Steve Kirschner - Vice President

DATE: 10/31/16

BIDDER'S GUARANTEE

Attached is bidder's bond, ~~certified check or cashier's check No. _____~~ of the _____ Bank, for _____ dollars, (\$ 10% of Amount), payable to the City Clerk of the City of Montclair, California, which is not less than ten percent (10%) of this bid, and which is given as a guarantee that the undersigned will enter into the contract, if awarded to the undersigned. The undersigned further agrees that in case of default in executing the required contract with the necessary bonds, within the time limits above specified, said bond or check and the money payable therein shall be forfeited to and become the property of the City of Montclair, California.

The Council of the City of Montclair reserves the right to reject any and all bids.

The undersigned further agrees, in case of award, to the execution of the contract for the within described work and improvements, within ten (10) calendar days following written notice of award of contract, said work will be commenced within fifteen (15) calendar days following execution and thereafter diligently prosecute the work to completion within the time specified in the contract documents.

The bid is submitted in response to Notice Inviting Sealed Bids attached hereto, and pursuant to all of the proceedings of the Council of the City of Montclair heretofore had and taken to date.

The undersigned further agrees, that upon being determined to be the apparent low bidder, to furnish verification of a current contractors license number, issued in accordance with the California Public Contract Code, to the City Engineer within two (2) working days after receiving a written request from him.

The names of all persons, firms and corporations interested in the foregoing Proposal as principals are as follows:

Fred T. Maas, Jr - President, Treasurer

Dan T. Maas - CEO

Steve Kirschner - Vice President

Kristen S. Paulino - Secretary

The undersigned are prepared to satisfy the Council of the City of Montclair of their ability, financially or otherwise, to perform the contract for the proposed work and improvements in accordance with the plans and specifications set forth.

Dated: 10/31/16



Signature of Bidder

Steve Kirschner - Vice President

BID BOND

KNOW ALL MEN BY THESE PRESENT, THAT WE
Hardy & Harper, Inc. as

PRINCIPAL, and Fidelity and Deposit Company of Maryland as
SURETY, are held and firmly bound unto the CITY OF MONTCLAIR, CALIFORNIA,
hereinafter referred to as the "City," in the penal sum of ten percent (10%) of the total
amount of the bid of the Principal above named, submitted by said Principal to said City,
for the work described below, for payment of which sum in lawful money of the United
States of America, well and truly to be made, we bind ourselves, our heirs, executors,
administrators and successors, jointly and severally, firmly by these presents. In no
case shall the liability of the surety hereunder exceed the sum of
Ten Percent of Amount Bid dollars (\$10% ***)

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that whereas said Principal
has submitted the same-mentioned bid to said City, for construction of the work under
this City's specification entitled "**WESTERN AND CENTRAL ZONE 3 MONTCLAIR STREET
REHABILITATION PROJECT**" for which bids are to be opened in the Council Chambers
located at City Hall of said City, on **November 3, 2016, at 10:01 a.m.**

NOW, THEREFORE, if said Principal is awarded the contract, and within the time and
manner required under the heading "**INSTRUCTIONS TO BIDDERS**," after the
prescribed forms are presented to him for signature, enters into a written contract, in the
form of agreement bound herein, in accordance with the bid, and files the two bonds
with said City, one to guarantee faithful performance and the other to guarantee
payment for labor and materials, then this obligation shall be null and void; otherwise, it
shall be and remain in full force and effect.

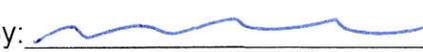
In the event suit is brought upon this bond by the Obligee and judgment is recovered,
said Surety shall pay all costs incurred by the Obligee in such suit, including a
reasonable attorney's fee to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 31st day
of October, 2016.

Hardy & Harper, Inc.
Principal

By: 
(SEAL) Steve Kirschner - vice president

Fidelity and Deposit Company
of Maryland
Surety

By: 
(SEAL) Dwight Reilly
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)

On October 31, 2016 before me, Tina Pham, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Steve Kirschner
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(x) whose name(x) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(x), or the entity upon behalf of which the person(x) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Tina Pham*
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Bid Bond Document Date: October 31, 2016
Number of Pages: 1 Signer(s) Other Than Named Above: Dwight Reilly

Capacity(ies) Claimed by Signer(s)

Signer's Name: Steve Kirschner
 Corporate Officer — Title(s): Vice President
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____
Hardy & Harper, Inc

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange)

On October 31, 2016 before me, Susan Pugh, Notary Public
(insert name and title of the officer)

personally appeared Dwight Reilly,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)
Susan Pugh



**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **MICHAEL BOND, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Daniel HUCKABAY, Dwight REILLY, Andrew WATERBURY, Arturo AYALA, Shaunna BURCHFIEL and Michael CASTANEDA, all of Orange, California, EACH** 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: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 9th day of May, A.D. 2016.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*

*Secretary
Eric D. Barnes*

Michael Bond

*Vice President
Michael Bond*

**State of Maryland
County of Baltimore**

On this 9th day of May, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **MICHAEL BOND, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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

Constance A. Dunn

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019

