

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

6

C3

CONSTRUCTION IN
FRESNO COUNTY IN FRESNO AT THE CALTRANS DISTRICT OFFICE 1352 WEST OLIVE
AVENUE
In District 06 on Route 99

UNDER

Notice to Bidders and Special Provisions dated February 29, 2016
Project plans approved November 23, 2015
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 06-0S4304

06-Fre-99-23.3

Project ID 0614000149

Bids open Tuesday, March 22, 2016

Dated February 29, 2016

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0S4304 Project ID: 0614000149

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

Name of Bidder Emmett's Excavation, Inc.

Bidder ID VC0000103869

Business Street Address 1477 Menlo Ave
(Include even if P.O. Box is used)

Business P.O. Box

City, State, Zip Clovis, California, 93611

Telephone No. 559-299-1256

Fax No. 559-299-0281

Contractor License No.579845

California Department of Industrial Relations Registration number** 100005267

Checksum 07C796D9

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the nonplant establishment work within the number of working days bid for nonplant establishment work.

2. Bidder has and acknowledges the following addenda:0
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

PRINTED NAME:LUCRETIA EMMETT AND

TITLE OF PERSON SIGNING:VICE PRESIDENT

BY (Authorized signature)

DATE SIGNED(Do not type)

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	1,500.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	1,200.00
3	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	2,000.00
4	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM LS	LUMP SUM	600.00
5	130620	TEMPORARY DRAINAGE INLET PROTECTION	5.0 EA	300.00	1,500.00
6	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	750.00
7	141120	TREATED WOOD WASTE	3,200.0 LB	0.30	960.00
8	153138	REMOVE CONCRETE CURB AND SIDEWALK (SQYD)	36.0 SQYD	175.00	6,300.00
9	160102	CLEARING AND GRUBBING (LS)	LUMP SUM LS	LUMP SUM	33,000.00
10	190101	ROADWAY EXCAVATION	2,190.0 CY	33.00	72,270.00
11	202006	SOIL AMENDMENT	3.0 CY	100.00	300.00
12	202038	PACKET FERTILIZER	130.0 EA	0.25	32.50

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	204038	PLANT (GROUP U)	26.0 EA	78.00	2,028.00
14	204099	PLANT ESTABLISHMENT WORK	LUMP SUM LS	LUMP SUM	4,500.00
15	205035	WOOD MULCH	36.0 CY	53.00	1,908.00
16	205062	ROOT BARRIER	840.0 LF	11.00	9,240.00
17	206564	1 1/2" REMOTE CONTROL VALVE	1.0 EA	615.00	615.00
18	206633	1 1/2" WYE STRAINER ASSEMBLY	1.0 EA	370.00	370.00
19(F)	208007	2 1/2" GALVANIZED STEEL PIPE (SUPPLY LINE)	6.0 LF	31.00	186.00
20	208426	2" BACKFLOW PREVENTER ASSEMBLY	1.0 EA	5,000.00	5,000.00
21	030714	ROOT WATERING BUBBLER ASSEMBLY (TYPE 12)	72.0 EA	93.00	6,696.00
22	208575	2" GATE VALVE	2.0 EA	625.00	1,250.00
23(F)	208594	3/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	1,880.0 LF	8.00	15,040.00
24(F)	208595	1" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	343.0 LF	10.00	3,430.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0S4304 Project ID: 0614000149

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
25(F)	208596	1 1/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	62.0 LF	11.00	682.00
26(F)	208597	1 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	665.0 LF	12.00	7,980.00
27(F)	208606	2 1/2" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	1,880.0 LF	13.00	24,440.00
28	390132	HOT MIX ASPHALT (TYPE A)	3,580.0 TON	80.00	286,400.00
29	397005	TACK COAT	3.0 TON	2,300.00	6,900.00
30	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	430.0 CY	500.00	215,000.00
31	733000	PRE/POST CONSTRUCTION SURVEYS	3.0 EA	2,800.00	8,400.00
32	735000	PARKING BUMPER (PRECAST CONCRETE)	8.0 EA	50.00	400.00
33	840651	PAINTED STALL LINES AND PAVEMENT MARKINGS	3,580.0 SQFT	1.85	6,623.00
34	860407	LIGHTING (PARKING LOT)	LUMP SUM LS	LUMP SUM	20,000.00
35	860809	DETECTOR LOOP (LS)	LUMP SUM LS	LUMP SUM	4,500.00
36	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	12,995.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0S4304 Project ID: 0614000149

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
		Total Bid			\$764,995.50

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0S4304 Project ID: 0614000149

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Emmett's Excavation, Inc.

List this sub? Yes

- 1) Business Name ANDERSON STRIPING & CONSTRUCTION, INC.
Location City KINGSBURG State CA
California Contractor License Number 900497
Public Works Contractor Registration Number 1000004817
Portion of Work Subcontracted:

Item %	Description
2 100	
32 100	
33 100	

List this sub? Yes

- 2) Business Name WABO LANDSCAPE & CONSTRUCTION, INC.
Location City HERCULES State CA
California Contractor License Number 962263
Public Works Contractor Registration Number 1000000448
Portion of Work Subcontracted:

Item %	Description
11 100	
12 100	
13 100	
14 100	
15 100	

List this sub? Yes

- 3) Business Name WABO LANDSCAPE & CONSTRUCTION, INC.
Location City HERCULES State CA
California Contractor License Number 962263
Public Works Contractor Registration Number 1000000448
Portion of Work Subcontracted:

Item %	Description
16 100	
17 100	
18 100	
19 100	
20 100	

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0S4304 Project ID: 0614000149

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Emmett's Excavation, Inc.

List this sub? Yes

- 4) Business Name WABO LANDSCAPE & CONSTRUCTION, INC.
Location City HERCULES State CA
California Contractor License Number 962263
Public Works Contractor Registration Number 1000000448
Portion of Work Subcontracted:

Item %	Description
21 100	
22 100	
23 100	
24 100	
25 100	

List this sub? Yes

- 5) Business Name WABO LANDSCAPE & CONSTRUCTION, INC.
Location City HERCULES State CA
California Contractor License Number 962263
Public Works Contractor Registration Number 1000000448
Portion of Work Subcontracted:

Item %	Description
26 100	
27 100	

List this sub? Yes

- 6) Business Name CALIFORNIA PROFESSIONAL ENGINEERING, INC.
Location City LA PUENTE State CA
California Contractor License Number 793907
Public Works Contractor Registration Number 1000001980
Portion of Work Subcontracted:

Item %	Description
34 100	
35 100	

This form must be completed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code ♦ 6107 and meets one of the following (enter requested information):

1. I am a California company which has its principal place of business in California.
or
2. I a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.
Name of State:
or
3. I a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.
Name of State:
California Sales or Use Tax No.:

The undersigned certifies that it is not a "California company."

4. I a California company.
My principal place of business is in:
(Enter state or country)
Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business.
(Attach additional sheets if necessary.)
Describe:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE _____ Signature of Bidder _____

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0S4304 Project ID: 0614000149

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

DES-OE-0102.12A (REV. 8/2012)

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date: Bidder's Name:

Signature: _____

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code ♦ 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of CA County of FRESNO

Name: LUCRETIA EMMETT,

being first duly sworn, deposes and says that he or she is

VICE PRESIDENT of

EMMETT'S EXCAVATION, INC.

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ♦ 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ♦ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ♦ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation? No

If the answer is yes, explain the circumstances in the following space.

ANTITRUST LAW

Under Pub Con Code ♦ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code ♦ 1101, with any public entity, as defined in Pub Cont Code ♦ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD
RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?

No

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?

No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?

No

4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

END CERTIFICATIONS

Bond No. _____

We _____

_____ as Principal, and

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for CONSTRUCTION IN FRESNO COUNTY IN FRESNO AT THE CALTRANS DISTRICT OFFICE 1352 WEST OLIVE AVENUE In District 06 on Route 99 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 03-22-16.

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

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

Dated: _____, 20_____.

Principal _____

Surety _____

By _____

Attorney-in-Fact

Correspondence or claims relating to this bond should be sent to the surety at the following address:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of _____

On this _____ before me, _____

Date Here insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

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 _____

Signature of Notary Public

(SEAL)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE-0102.3 (REV 3/2008)

Contract No. 06-0S4304

Bond No. Bid Bond

We Emmett's Excavation, Inc.

6207 E. Clinton Ave Fresno CA 93727 as Principal, and
Fidelity and Deposit Company of Maryland

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for Construction In Fresno County In Fresno at the Caltrans District
(Copy here the exact description of work, including location, as it appears on the proposal)

Office 1352 West Olive Avenue. Contract No. 06-0S4304

for which bids are to be opened at 1727 30th Street, Sacramento, CA 95816

(insert place where bids will be opened)

on March 22, 2016

(insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

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

Dated: March 15, 2016

Correspondence or claims relating to this bond should be sent to the surety at the following address: Fidelity and Deposit Company of Maryland
525 Market Street Ste 2900, San Francisco, CA 94105

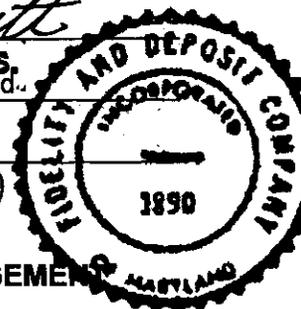
Emmett's Excavation, Inc.

By Lucretia Emmett
Lucretia Emmett V/P, Sec, Treas.
Fidelity and Deposit Company of Maryland

Surety

By Bonnie Gonzalez
Bonnie Gonzalez

Attorney-in-Fact



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

SEE ATTACHED SURETY ACKNOWLEDGEMENT

PLEASE SEE ATTACHED CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of _____

On this _____ before me,

Date

Here Insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

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.

(SEAL)

Signature _____

Signature of Notary Public

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

Civil Code § 1189

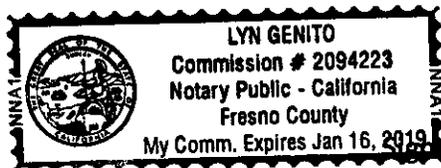
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of Fresno)

On March 15, 2016, before me, Lyn Genito, Notary Public, personally appeared Bonnie Gonzalez, 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.



(Seal)

Signature: *Lyn Genito*
Lyn Genito, Notary Public

**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 Steven P. EDWARDS, Cody LYMAN, Lyn GENITO, Bonnie GONZALEZ and Trey BUSCH, all of Fresno, 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.

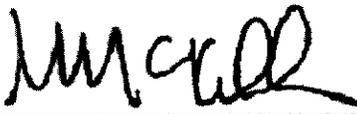
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

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 17th day of December, A.D. 2015.

ATTEST:

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



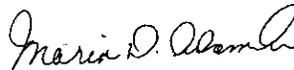
By: 
Secretary
Michael McKibben


Vice President
Michael Bond

State of Maryland
County of Baltimore

On this 17th day of December, A.D. 2015, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, MICHAEL BOND, Vice President, and MICHAEL MCKIBBEN, 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.



Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2019



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

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 ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

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 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and 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 10th day of May, 1990.

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 seals of the said Companies, this 15 day of March, 2016.



Thomas O. McClellan, Vice President