

State of West Virginia Department of Administration **Purchasing Division** 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

#### Request for Quotation

RFQ NUMBER DEP14120

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

\*610093556 304-346-2108 MOUNTAIN HAUS PROPERTIES INC 305 39TH ST CHARLESTON WV 25304

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

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## GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee
- All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract
- Any reference to automatic renewal is hereby deleted 
  The Contract may be renewed only upon mutual written agreement of the parties
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
- HIPAA Business Associate Addendum The West Viginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

#### **INSTRUCTIONS TO BIDDERS**

- Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Complete all sections of the quotation form.
- 4. Unit prices shall prevail in cases of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 6. BID SUBMISSION: All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications

#### SIGNED BID TO:

Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130



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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

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DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 06/07/2007 BID OPENING DATE 07/17/2007 BID OPENING TIME 01:30PM CAT QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT. (1) NOTICE TO PROCEED: THE CONSTRUCTION WORK SPECIFIED HEREIN IS TO BE COMPLETED WITHIN 365 CALENDAR DAYS AFTER THE OFFICIAL NOTICE TO PROCEED IS RECEIVED. IN THE EVENT THAT A PRE-CONSTRUCTION CONFERENCE IS REQUIRED, THE NOTICE TO PROCEED SHALL BE THE SPECIFIC DATE ESTABLISHED IN THE PRE-CONSTRUCTION CONFERENCE. (2) GUARANTEE AND MAINTENANCE: (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHE BY CUSTOM OF THE RESPECTIVE TRADES. IN THE ABSENCE OF A TRADE GUARANTEE CUSTOM OR A SPECIAL GUARANTEE PROVISION, THE WORK, BOTH AS TO THE MATERIALS AND WORKMANSHIP, SHALL UPON ACCEPTANCE OF FINAL PAYMENT BY THE CONTRACTOR BE CONSIDERED GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FROM THE DATE OF THE ACCEPTANC OF THE WORK. NEITHER THE FINAL ACCEPTANCE NOR THE FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE. DURING THE ONE-YEAR GUARANTEE PERIOD, THE CONTRACTOR WILL MAINTAN THE PROJECT TO THE CONDITIONS EXISTING AT THE DATE OF THE ACCEPTANCE OF THE WORK. ANY FAILURES DUE TO THE NEGLIGENCE OR WORKMANSHIP OF CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE DATE TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



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**\*610093556** 

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DEPARTMENT OF

OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

DATE PRINTED TERMS OF SALE SHIP VIA FOB. FREIGHT TERMS 06/07/2007 BID OPENING DATE: 07/17/2007 BID OPENING TIME 01:30PM CAT NO. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT, OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001. "STEEL PRODUCTS" MEANS PRODUCTS ROLLED, FORMED, В. SHAPED, DRAWN, EXTRUDED, FORGED, CAST, FABRICATED OR OTHERWISE SIMILARLY PROCESSED, OR PROCESSED BY A COMBINATION OF TWO OR MORE OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES. 2. THE DIRECTOR OF THE PURCHASING DEPARTMENT MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF: THE COST FOR EACH CONTRACT ITEM USED DOES NOT Α. EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR, THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT QUANTITY OR OTHERWISE ARE NOT REASONABLY SEE REVERSE SIDE FOR TERMS AND CONDITIONS. SIGNATURE TELEPHONE DATE TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

#### Request for Quotation

RFQ NUMBER DEP14120

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

**\*610093556** 304-346-2108 MOUNTAIN HAUS PROPERTIES INC 305 39TH ST

CHARLESTON WV 25304 **ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

| DATE PRINT        | TED  | TER   | MS OF SALI                                 | =  | SHIP  | VIA  | 1                                     | F.O.B.   |                       | FREIGHT TERMS     |
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| BID OPENING DATE: |  | 07/17/  | 2007                                       |  |   | BID  | 0P                                    | ENING TIME   | 01                    | :30PM             |
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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

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304-926-0499

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### COALTON MINE DRAINAGE PROJECT

Requisition # DEP14120

Contractor's Bid Sheet

Company Name: Mountain Haus Proputius

Address

Tharleston, M 25304

| ITEM     | <u> </u>                                |   | T          |                      |
|----------|---|---|------------|----------------------|
| NO.      | QUANIIIY                                | DESCRIPTION   | IDIT DDICE | ANACYDIT             |
| 110.     | COANTITI                                | DESCRIPTION   | UNIT PRICE | AMOUNI               |
|          | * |   |            |                      |
| 1.0      | 1 LS                                    | Mobilization and Demobilization (Limited to 10% of Total Bid) | LS         | \$ 18,000,00         |
| 2.0      | 1 LS                                    | Construction Layout Stakes (Limited to 5% of Total Bid)       | LS         | \$ 9,000.00          |
| 3.0      | 1 LS                                    | Quality Control (Limited to 3% of Total Bid)                  | LS         | \$ 4,500.00          |
| 4.0      | 1 LS                                    | Site Preparation (Limited to 10% of Total Bid)                | LS         | \$ 18,000.00         |
| 5.0      | 1200 LF                                 | Sediment Control  | 5.00       | \$ 6,000,00          |
| 6.0      | 3 AC                                    | Revegetation  | 4,000,00   | \$ 12,000.00         |
| 7.1      | 475 LF                                  | 8' Grouted Riprap Channel                                     | 50.00      | \$ 23,750.00         |
| 7.2      | 220 LF                                  | 24" HDPE Pipe   | 25.00      | \$ 5,500.00          |
| 7.3      | 1020 LF                                 | 30" HDPE Pipe   | 36.00      | \$ 36,720.00         |
| 7.4      | 1 EA                                    | Concrete Wingwall   | 1,800.00   | \$ 1.800.00          |
| 7.5      | 1 EA                                    | Concrete Headwall   | 2,500.00   | \$ 2,500.00          |
| 7.6      | 1 EA                                    | Splash Pad  | 5,000,00   |                      |
| 7.7      | 7 EA                                    | Type "A" Manhole  |            | \$ 17,500.00         |
| 7.8      |   | Type "G" Inlet  | 6,000,00   | \$24,000,00          |
| 7.9      |   | Ditch Rehabilitation  | 12.00      | \$ 4,560.00          |
| 7.10     | 30 LF                                   | 15" HDPE Culvert  | 17.00      | \$ 510.00            |
| 7.11     |   | 12" HDPE Pipe   | 10.00      | \$ 2,400.00          |
| 7.12     |   | 4' Grass Lined Channel (Road Ditch)                           | 10.00      | \$ 2,000.00          |
| 9.1      | 1 EA                                    | Wet/Modified Mine Seal  | 6,000.00   | \$ 6,000,00          |
| 9.2      |   | Soda Ash Briquettes (50 lb bag)                               | 100.00     | \$ 1,000,00          |
| 9.3      |   | Conveyance Pipe   | 20 00      | \$ 800.0°            |
| 11.0     |   | Underdrain  | 16.00      | \$ 6400.00           |
| 12.0     | 121 SY                                  | Pavement Repair   | 200.00     | \$24,200.00          |
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## STATE OF WEST VIRGINIA Purchasing Division

117

## **PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

#### **DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount

**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities

**CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit <a href="https://www.state.wv.us/admin/purchase/privacy">www.state.wv.us/admin/purchase/privacy</a> for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated

| Vendor's Name:                          | Haus | Propert | ies |         |  |
|---|------|---------|-----|---------|--|
| Authorized Signature:                   |      | ű.      |     | 7-17-07 |  |
| Purchasing Affidavit (Revised 04/15/07) |      |         |     |         |  |

| Agency |              |
|--------|--------------|
| REQ P  | O# DEP 14120 |

#### **BID BOND**

|                                     | KNOW ALL MEI  | N BY THESE PF  | RESENTS, That we   | , the undersigned, $\underline{{\sf N}}$   | <u> ////////////////////////////////////</u> | Haus Prope                         | erties, Inc.                       | (SC., ), PALAPATO (SC.)            |
|-------------------------------------|---|--|--|--|--|------------------------------------|------------------------------------|------------------------------------|
|                                     | of Charleston   | <u> </u>   | , <u>WV</u>  |  | , as Princ                                   | cipal, and <u>Or</u>               | nio Farmers I                      | nsurance Company                   |
|                                     | of <u>Charlestor</u>  | <u>י ו , WV</u>  | Secretary Control of the State of the Secretary Control of the Secretar | , a corporation o  | rganized a                                   | nd existing u                      | inder the laws                     | of the State of                    |
| 0                                   | H with its  | principal office   | in the City of <u>Char</u>   | leston   | _, as Sure                                   | ty, are held a                     | and firmly boun                    | d unto the State                   |
| of West                             | Virginia, as Oblig  | ee, in the penal   | sum of Five Perce  | ent of Amount Bid  | (\$  | 5%                                 | ) for the ;                        | payment of which,                  |
| well and                            | truly to be made,   | , we jointly and s   | severally bind ourse   | elves, our heirs adm   | ninistrators                                 | , executors,                       | successors an                      | d assigns                          |
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|                                     | (a) If said bid sh  |  | or   |  |  |                                    |                                    |                                    |
| hereto ar<br>agreeme<br>force and   | (b) If said bid shad shall furnish and created by the deflect. It is expr | nall be accepted<br>ny other bonds a<br>acceptance of s<br>essly understoo | and the Principal s<br>ind insurance requi<br>aid bid, then this o   | hall enter into a con<br>ired by the bid or pro<br>bligation shall be nu<br>he liability of the Su             | oposal, and<br>ill and void,                 | d shall in all c<br>, otherwise th | other respects<br>his obligation s | perform the<br>hall remain in full |
|                                     |   |  |  | and agrees that the  | e obligation                                 | ns of said Su                      | rety and its bo                    | nd shall be in no                  |
| way impa                            |   | y any extension  |  | which the Obligee m  |  |                                    |                                    |                                    |
|                                     | IN WITNESS WE   | IEREOF, Princip  | al and Surety have   | hereunto set their l   | hands and                                    | seals, and s                       | uch of them as                     | are corporations                   |
| nave cau                            | sed their corpora   | te seals to be af  | fixed hereunto and   | these presents to b  | e signed by                                  | y their prope                      | r officers, this                   |                                    |
| 17th                                | day of  | July   |  |  |  |                                    |                                    |                                    |
|                                     |   |  |  |  | Mountain                                     | Hous Pron                          | perties, Inc.                      |                                    |
| Principal                           | Corporate Seal  |  |  |  | Mountain                                     |                                    | ne of Principal                    | <b>)</b>                           |
|                                     |   |  |  |  | Ву   | ulie                               | 1                                  | rrett                              |
|                                     |   |  |  |  | /  | lice F                             | reside                             | nt                                 |
| Surety Co                           | orporate Seal   |  |  |  | Ohio Farr                                    |                                    | ance Compar<br>ne of Surety)       | ny                                 |
|                                     |   |  |  | Kimberly J Wilkins   | By: K  | <u>v Selli</u><br>int Agent Atto   | y G U Ju<br>Diney-in-Fact          | lkusin                             |

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed, and a power of attorney must be attached

General Power of Attorney POWER NO 4752152 06

# Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

CERTIFIED COPY

Westfield Center, Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint

presents make, constitute and appoint LARRY D. KERR, GREGORY T. GORDON, PATRICIA A. FINCKE, STEPHEN B STOGDEN, PATRICIA A MOYE, ALLAN L. MC VEY, KIMBERLY J. WILKINSON, JOINTLY OR SEVERALLY

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their **Senior Executive** and their corporate seals to be hereto affixed this **05th** day of **JULY** A.D., **2006** 

Corporate Seals Affixed SEAL SEAL State of Ohio County of Medina ss.:

SEAL



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By: / / Richard L. Kinnaird, Jr., Senior Executive

On this 05th day of JULY A.D., 2006, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order

Notarial Seal Affixed

State of Ohio County of Medina ss ·



William J. Kahelin, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec 147 03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 17th day of

SEAL S





Frank A. Carrino, Secretary