

Request for BEONUMBER Quotation

PSH13005

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ADDRESS CORRESPONDENCE TO ATTENTION OF ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE

HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or relimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller. .
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.html and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. 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, and the West Virginia Insurance Commission. 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.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
- 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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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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HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

304-558-0067

304-256-6600

RFQ COPY TYPE NAME/ADDRESS HERE

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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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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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HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

304-256-6600

DATE PRINTED TERMS OF SALE SHIP VIA F,O,B, FREIGHT TERMS 03/26/2012 BID OPENING DATE: 05/01/2012 BID OPENING TIME 01:30PM CAT, UOP ITEM NUMBER AMOUNT QUANTITY UNIT PRICE LINE APPLY TO THE ORIGINAL BIDDING DOCUMENT THAT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE, REV. 11/96 EXHIBIT 10 ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NOS.: NO. 1 NO. 2 NO. 3 NO. 4 NO. 5 I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS. VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE DATE TITLE ADDRESS CHANGES TO BE NOTED ABOVE



Request for Guotation PSH13005

PSH13005

ADDRESS CORRESPONDENCE TO ATTENTION OF:

ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

304-256-6600

RFQ COPY TYPE NAME/ADDRESS HERE

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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 PSH13005 PAGE

10

ROBERTA WAGNER 304-558-0067

ADDRESS CORRESPONDENCE TO ATTENTION OF:

RFQ COPY

TYPE NAME/ADDRESS HERE

HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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Request for Quotation

RFQ NUMBER PSH13005

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ROBERTA WAGNER

ADDRESS CORRESPONDENCE TO ATTENTION OF 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE

HEALTH AND HUMAN RESOURCES JACKIE WITHROW HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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REQ. NO.:	PSH13005	
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	304-353-	725
PLEASE PRINT OR CONCERNING THIS	TYPE NAME OF PERSON TO QUOTE:	Continuental Section 1997
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PSH13005

Specifications for Boiler Feed Replacement at Jackie Withrow Hospital:

Basement #A /Pump #1

Vendor shall furnish and install 1 Bryan Model HFS-150-155-1300 (or equal) horizontal type boiler feed system. Tank size should be 130 gallons and operate at 15 PSI boiler relief valve setting with a total boiler capacity of 2,886 lbs./hr. or 84 boiler HP.

Boiler Feed System

The Boiler Feed System must have storage capacity of at least 1 gallon per 1 boiler horsepower. The boiler feed pumps shall be supplied with the boiler feed system and capable of pumping 2X the evaporation rate of 3% above the boiler relief valve setting (per ASME Code). The boiler and the boiler feed system must be supplied by the same manufacturer. The current boiler installed is a Bryan Steam, with a model number of RV350-S-15-RDG, and Bryan number 940453.

The storage tank shell and heads shall be constructed of ¼" thick minimum carbon steel to specifications SA516 Grade 70 or SA53B and shall be capable of holding the specified gallons to overflow. The horizontal vessel will be supplied with a 3" threaded connection minimum for condensate return and vent pump suction coupling of adequate size, a manual fill connection, a sight glass with brass valves installed, and a blowout opening properly designed to keep the pressure in the tank at atmospheric conditions. All exposed surfaces must be protected with a suitable heat and rust resistant material. The base shall extend in front of the storage valve for pump mounting and easier access to the pump for maintenance and inspections.

The Boiler Feed System must be fully trimmed by the manufacturer including:

- 1. Makeup water assembly: A mechanical float-type makeup water control shall accept incoming water up to a differential pressure of 100psi. The make-up valve assembly shall mount directly into the tank to eliminate unnecessary piping and be removable from the outside of the vessel for easy maintenance/inspection.
- 2. Miscellaneous gauges: A temperature gauge shall be supplied and installed by the manufacturer. The gauge must reflect the water level in the tank. The gauge glass must be protected from objects and have shut off valves on both ends.

The Boiler Feed System and Pump Package must include the following:

1. Stand: the storage tank must be supported by 2 saddles that are attached to 4 legs made of 2" standard diameter pipe to supply net suction head required for the pumps plus additional safety factor to avoid cavitation. The units and pumps must be mounted on a 4" channel structural heel base with a ¼" thick steel plate floor with proper support and braces. All exposed metals shall be protected with a suitable heat and rust resistance material.

PSH13005

Page 2 - Continued

- 2. Pumps must be sized based on pump schedule and be able to pump into the boiler at least 3% above the boiler relief valve setting to satisfy the ASME Code. The pump must be a vertical multistage pump with stainless steel impellers and a minimum of 250 degree seals. The pump must be 3 phase TEFC (or equal) motors.
- 3. Pump mounting and Piping: The pumps must be mounted to the base. The pump suction piping must include a gate valve, strainer, and flexible connector for each pump. The discharge piping must include a liquid filled pressure gauge with a shut-off valve and pump throttling valve. Suction and discharge components shall be sized based on a maximum velocity of 4ft/sec of rated flow.
- 4. Pump electrical components: The pump shall be supplied with a TEFC (or equal) motor, Each pump circuit shall have a motor starter with overheads enclosed in a NEMA (or equal) 12 panel. A hand-off-auto switch shall also be provided for each pump.

Contractor shall be responsible for and shall provide the following:

- 1. Demolition, removal, and disposal of the existing Bryan feed system (excluding pumps,) and must maintain a neat and clean work area.
- 2. Furnishing and installation of the boiler feed system as specified above.
- 3. Removal and reconnection of all existing pipe. Contractor shall make all piping modifications required to install the new system.
- 4. Provide a new 230/460 3-phase power to new system and provide a new disconnect.
- 5. Provide new concrete pad for boiler feed system
- 6. Provide a (1) year parts and labor warranty for the new system. Warranty to include a 24 hour 7 days a week service including legal holidays with a maximum 4 hour response time.
- 7. After completion, contractor must provide a minimum of 4 hours training to the Maintenance staff on the new system

Basement #B Pump #2

Furnish and install (1) Vertical pump feed system consisting of the following

- Vendor shall provide one 32 gallon tank of 10 gauge steel.
- Vendor shall provide a ¾ HP pump, 115V or 230/460, 3 Phase. Replex 208 3 ph
- System shall have a glass gauge.
- System shall have strainers.
- System shall have shut off valves.
- System shall have a control panel with starters.

Unit must be completely installed into the existing system and ready to go in case of failure in the current pump.

Page 3 - Continued

Contractor shall be responsible for and shall provide the following:

- 1. Vendor shall remove and dispose of the existing Lattner feed system (excluding pump,) and must maintain a neat and clean work area.
- 2. Vendor shall furnish and install new system as specified above.
- 3. Vendor shall provide all wiring and piping modifications required to install new system.
- 4. Vendor shall provide a (1) year parts and labor warranty for the new system. Warranty to include 24 hour 7 days a week service including legal holidays with a maximum 4 hour response time.
- 5. After completion, contractor must provide a minimum of 4 hours training to the Maintenance staff on the new system.

Mandatory Pre-Bid Conference:

There will be a mandatory pre-bid conference scheduled for <u>04/10/2012</u> at <u>1:00 PM</u>, in A-100 conference room at Jackie Withrow Hospital (105 S Eisenhower Dr. Beckley, WV 25801.) Only vendors attending the mandatory pre-bid will be allowed to submit a bid. There will be a walk –thru of the two job sites during the pre-bid conference.

Prevailing Wage:

The contractor and or any sub-contractors shall pay the higher of the U.S. Dept. of Labor minimum wage rates or the West Virginia Dept. of Labor wage rates as established for Raleigh County pursuant to the West Virginia Code 21-5-1, et seq. West Virginia Dept. of Labor Wage Rates are available at the following website:

http://www.wvsos.com/adlaw/wagerates/building06.htm

Secretary of State:

The awarded vendor must be registered with the West Virginia Secretary of State's office and be in good standing with the State.

Work hours / completion:

Delivery will be made F.O.B. Destination to Jackie Withrow Hospital within 30 working days after receipt of the notice to proceed from the facility. Once began, the vendor will have 90 days to complete. Work must be done during normal business hours (Monday thru Friday 8:00am to 4:00pm excluding legal holidays,) unless otherwise approved by the Maintenance Supervisor or The Building Administrator.

Page 4 - Continued

Payment

Vendor will send original invoice to Jackie Withrow Hospital located at 105 S Eisenhower Dr. Beckley, WV 25801.

A 10% retainage shall be held until all work is complete, within specification, and has received 100% acceptance by the Agency.

Cost sheet for PSH13005

Pump Brand Bryan Model # HFS -15-175-130 for Basement #A
\$ 29,927.00
Cost for all other / materials for replacement in Basement # A \$
Labor cost for Basement # A (To include all hours to complete the job, travel, and any associated travel fees.)
\$ 6,740.00
Pump Brand Lattner Model # LV200 for Basement #B \$ 10,485,00
Cost for all other parts / materials for replacement in Basement # B \$
Labor cost for Basement # B (To include all hours to complete the job, travel, and any associated travel fees.) $ \frac{5,800,00}{} $
Total cost for parts / materials $$$ $45,512.00$ Total labor cost $$$ $12,540.00$ Grand total cost $$$ $58,052.00$ Continued

Bid will be awarded to the vendor with the lowest grand total bid, meeting all specifications, (multiple awards will not be considered.)

Vendorname: Casto Technical Service
Order Address: 540 Leon Sullivan Way Charleston, WV 25301
Remit to Address:
Fax#: 304-343-1723
Phone # 304-346-0549 Email: Plancaster@castotech.com
Vendor Signature:
Print name and title: Rau LANCASTER operations manager
Date: 4-27-12

Rev March 2009



State of West Virginia DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT West Virginia Code §21-1D-5

STATE OF
COUNTY OF Kanawha, TO-WIT:
I, Aul A. LANCASTER, after being first duly sworn, depose and state as follows:
1. I am an employee of <u>(as o lechnical Service</u> ; and, <u>(Company Name)</u>
2. I do hereby attest that (Company Name) Service (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.
The above statements are sworn to under the penalty of perjury. Casto Technical Service
By: Derations Manager
Date: 4-30-12
Taken, subscribed and sworn to before me this 30 day of 4011 2012
Seally State of West August 26, 2012 (Seally My commission expires August 26, 2012) (Seally My Commission expires August 26, 2012) (Notary Public)
THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE
AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF
THE BID.

RFQ No. <u>PSII 13005</u>

STATE OF WEST VIRGINIA **Purchasing Division**

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 owed 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.

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

WITHESS THE FOLLOWING SIGNATURE	1
Vendor's Name: Casto, Texas	Kcal Service
Authorized Signature:	Date: 4-27-12
State of	
County of Kanawka, to-wit:	
Taken, subscribed, and sworn to before me this <u>30</u> day of	of <u>April</u> , 20/2
My Commission expires August 28	, 20_/2
AFFIX SEAL HERE	NOTARY PUBLIC MALLE COLL



Agency	Health and Human Resources
REQ.P.	O#PSH13005

BID BOND

	KNOW ALL ME	N BY THESE PRESENTS	, That we, the u	indersigned,	Casto Techn	ical Servi	ces, Inc.
of	Charlestor	1,	WV	, as l	Principal, and	Western S	Surety Company
of	Sioux Falls						fer the laws of the State of
	SD with its	s principal office in the Cit	ofSioux	x Falls	_, as Surety,	are held and	d firmly bound unto the State
of We	st Virginia, as Oblig	jee, in the penal sum of <u>F</u>	ive Percent of	Amount Bio	(\$	5%) for the payment of which,
		e, we jointly and severally l					
	The Condition o	If the above obligation is s	uch that wherea	s the Principa	al has submitte	d to the Pu	rchasing Section of the
Depar	tment of Administra	ation a certain bid or propo	sal, allached he	ereto and ma	de a part hered	of, to enter i	nto a contract in writing for
PSH	13005 - Replace	ment Boiler Feed System	em for Jackie	Withrow Ho	ospital - Acco	rding to P	lans & Specifications
	NOW THEREFO	DRE,					
		hall be rejected, or	Orinologi aboli or	alas lata a ass			
hereto	and shall furnish a	iny other bonds and insura	ance required by	the bid or or	oposal, and sh	all in all oth	he bid or proposal attached
agreer	ment created by the	e acceptance of said bid, t	hen this obligation	on shall be no	ull and void, of	herwise this	obligation shall remain in full
excee	d the penal amount	ressly understood and agi t of this obligation as herei	n stated.	bility of the St	urety for any ar	nd all claims	s hereunder shall, in no event,
wou in	The Surety, for t	he value received, hereby	stipulates and a	agrees that th	ne obligations o	of said Sure	ty and its bond shall be in no
way iii waive	notice of any such	by any extension of the tir extension.	he within which	the Obligee i	nay accept suc	en bia, and	said Surely does nereby
	A-5						
							ch of them as are corporations
		ate seals to be affixed here		presents to	be signed by th	neir proper (officers, this
151	day of	May 2012	.				
					Ozala Task	-:! 0	
Princip	al Corporate Seal				Casto Tech		of Principal)
						A	or randpay
					Ву	Franklis	be President or
					/	Vice f	President)
					VP/	CFC)
					4 1	((Tille)
Suretv	Corporate Seal						
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) (Name	e of Surety)
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					Patricia A. Moy	e, WV Reside	ent Agent Attorney-in-Fact

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

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Kimberly J Wilkinson, Larry D Kerr, Allan L Mc Vey, Gregory T Gordon, Patricia A Moye, Individually

of Charleston, WV, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 11th day of August, 2010.



WESTERN SURETY COMPANY

Paul W. Bruflat Senior Vice President

State of South Dakota County of Minnehaha

S

On this 11th day of August, 2010, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



CERTIFICATE

Lea Frell, Notary Public



WESTERN SURETY COMPANY

J. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.