



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

State of West Virginia  
 Request for Quotation  
 09 - Construction

Proc Folder: 99143

Doc Description: Addendum for Exterior Caulking & Cleaning of Buildings 5-7

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2015-06-08	2015-06-16 13:30:00	CRFQ 0211 GSD1500000028	3

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

Vendor Name, Address and Telephone Number:

RECEIVED

2015 JUN 16 AM 11:23

WV PURCHASING  
 DIVISION

**FOR INFORMATION CONTACT THE BUYER**

Guy Nisbet  
 (304) 558-2596  
 guy.l.nisbet@wv.gov

Signature X

FEIN #

DATE

All offers subject to all terms and conditions contained in this solicitation

BUYER TO	SHIP TO
DEPARTMENT OF ADMINISTRATION GENERAL SERVICES DIVISION 1900 KANAWHA BLVD E, BLDG 1, RM MB-68 CHARLESTON WV25305 US	DEPARTMENT OF ADMINISTRATION GENERAL SERVICES DIVISION BLDG 5 - HIGHWAYS 1900 KANAWHA BLVD E CHARLESTON WV 25305 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Exterior Caulking and Cleaning of Buildings 5, 6 & 7	0.00000			

Comm Code	Manufacturer	Specification	Model #
72153501			

**Extended Description :**

Exterior Caulking and Cleaning of Buildings 5, 6 & 7. Vendor must submit Exhibit "A" Pricing Page before bid opening.

<b>GSD150000028</b>	<b>Document Phase</b> <b>Draft</b>	<b>Document Description</b> Addendum for Exterior Caulking & Cleaning of Buildings 5-7	<b>Page 3</b>
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**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

**SOLICITATION NUMBER: CRFQ 0211 GSD1500000028**  
**Addendum Number: No.02**

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The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

**Description of Modification to Solicitation:**

Addendum issued to publish and distribute the following information to the vendor community as attached.

1. Move Bid Opening Date, was June 10th, 2015 at 1:30 PM. EDT.  
Bid Opening date is now: June 16th, 2015 at 1:30 PM. EDT.
2. Responses to Vendors submitted questions and Agency responses to those questions.
3. ZMM Changes to specifications:
4. Submit NEW Exhibit A Pricing Sheet dated 06/08/2015

No other Changes.

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

# ATTACHMENT A



**ADDENDUM NO. 2**

**RE:** Caulking and Cleaning For  
West Virginia State Office Building Nos. 5, 6, & 7  
Project No. GSD 150000028  
West Virginia State Capitol Complex, Charleston, West Virginia  
Architect's Project No. 1408

**TO:** Prospective Bidders

**FROM:** ZMM, Inc. Architects and Engineers

This Addendum forms a part of the Contract Documents and modifies the original Bidding Documents.

**ATTACH THIS ADDENDUM TO THE FRONT COVER OF THE PROJECT MANUAL AND ACKNOWLEDGE RECEIPT OF THIS ADDENDUM IN THE SPACE PROVIDED ON THE BID FORM.**

**PART 1 - INFORMATION FOR BIDDERS**

- A. Refer to "Vendor Submitted Questions and Agency Responses" dated 06/03/2015 as attached to this Addendum.

**PART 2 - CHANGES TO SPECIFICATIONS**

- A. REPLACE Section 012200 "Unit Prices" dated 05/06/14 with Replacement Section 012200 dated 06/04/15 as attached to this Addendum.
- B. Section 015000 "Temporary Facilities and Controls" - REVISE Paragraph 1.3.B to read as follows:

"Contractor is to provide temporary water service as needed for construction operations. Make connection to existing water service monitored by water meter as per water utility company requirements and pay for all water used. Make temporary metered connections to either existing water main utility piping or fire hydrants as necessary and as allowed by water utility company and legal authorities having jurisdiction."

- C. Section 040110 "Masonry Cleaning" - REVISE Paragraph 3.4.A.5 to read as follows:

"Repeat cleaning procedure above as authorized by Change Order utilizing Unit Prices where required to produce cleaning effect established by mockup. Reference Section 012200 "Unit Prices" as attached to Addendum No. 2."

**END OF ADDENDUM**

**Attachments:** Vendor Submitted Questions and Agency Responses.....1 page  
Section 012200 "Unit Prices"..... 2 pages

## SECTION 012200 - UNIT PRICES

### PART 1 - GENERAL

#### 1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

#### 1.2 SUMMARY

- A. Section includes administrative and procedural requirements for unit prices.
- B. Related Requirements:
  1. Section 012600 "Contract Modification Procedures" for procedures for submitting and handling Change Orders.
  2. Section 014000 "Quality Requirements" for general testing and inspecting requirements.

#### 1.3 PROCEDURES

- A. Unit prices include all necessary material, plus cost for delivery, installation, insurance, applicable taxes, overhead, and profit.
- B. Measurement and Payment: See individual Specification Sections for work that requires establishment of unit prices. Methods of measurement and payment for unit prices are specified in those Sections.
- C. Owner reserves the right to reject Contractor's measurement of work-in-place that involves use of established unit prices and to have this work measured, at Owner's expense, by an independent surveyor acceptable to Contractor.
- D. List of Unit Prices: A schedule of unit prices is included in Part 3. Specification Sections referenced in the schedule contain requirements for materials described under each unit price.

### PART 2 - PRODUCTS (Not Used)

### PART 3 - EXECUTION

#### 3.1 DEFINITIONS

- A. Unit price is an amount incorporated in the Agreement, applicable during the duration of the Work as a price per unit of measurement for materials, equipment, or services, or a portion of the Work, added to or deducted from the Contract Sum by appropriate modification, if the scope of Work or estimated quantities of Work required by the Contract Documents are increased or decreased.

3.2 SCHEDULE OF UNIT PRICES

- A. Unit Price No. 1: Repair of limestone panel surfaces where indicated on Drawings and as specified under cutting and patching (Section 017300), that is greater than or less than 20 square feet.
1. Unit of Measurement: Square foot of stone panel repair.
  2. Quantity Included in Base Bid: Include 20 square feet of repair of limestone panel surface.
- B. Unit Price No. 2: Repeat cleaning procedure as specified in Section 040110 "Masonry Cleaning" Paragraph 3.4.A.5 as revised in Addendum No. 2.
1. Unit of Measurement: Square foot of surface cleaning.

END OF SECTION



**Vendor submitted Questions & Agency Responses  
06/03/2015**

**CRFQ 0211 GSD150000028  
Exterior Caulking & Cleaning of Buildings 5, 6 & 7**

**Q.1. Drawing SP1 Building Cleaning Method gives the following direction:**

- A. Soak exterior surface 24 hours with soaker hose or other approved method.
- B. Spray on mild cleaning agent and clean all surfaces with medium pressure.
- C. Clean up debris from cleaning on grounds and canopy areas.

Specification Page040110-4 3.4 cleaning Masonry

**A. Mild Acid Chemical Cleaning –gives the following direction:**

- 1. Wet surface with cold water applied by low pressure spray.
  - a. Maintain spray of area to be treated for 24 hours.
- 2. Apply cleaner to surface in two applications by brush or low–pressure spray.
- 3. Let cleaner remain on surface for period recommended in writing by chemical cleaner manufacture.
- 4. Rinse with cold water applied by low-pressure spray to remove chemicals and soil.
- 5. Repeat cleaning procedure above, where required to produce cleaning effect established by mockup. Do not repeat more than once. If additional cleaning is required use steam cleaning.

Please advise if our base bid dollar amounts should include one or two full cleanings to the stone surfaces. Prior to completing the mockup, it is impossible to guess if one or two cleanings will be satisfactory to the Owner. The cost to perform two cleanings as opposed to one cleaning is a significant difference and will certainly have a direct impact on submission of all bids.

**A.1.**The Base Bid is to include one cleaning, if required additional cleaning will be covered by unit price. See attached revised bid form.

**Q.2.** Please clarify that contractors will be responsible for their own metered hookup to existing fire hydrants for water usage relative to the cleaning of the masonry and the cost of the water will be incurred by the contractor.

**A.2.**Contractor is responsible for cost of a metered hookup to existing fire hydrant for water requirements.

**Exhibit "A" Pricing Page**

**EXTERIOR CAULKING AND CLEANING  
BUILDING NOS. 5, 6, & 7  
WEST VIRGINIA CAPITOL COMPLEX**

**NAME OF BIDDER:** Mariani & Richards, Inc.

The aforementioned, hereinafter called Bidder, being familiar with and understanding the Bidding Documents and also having examined the site and being familiar with all local conditions affecting the project hereby proposes to furnish all labor, material, equipment, supplies and transportation and to perform all Work in accordance with the Bidding Documents within the time set forth for the sum of:

**BASE BID:**

For the sum of: One Million Ninety Five Thousand One Hundred Five Dollars

(\$ 1,095,105.00).

**(Show amount in both words and numbers, In the event of a difference between the written amount and the number amount, the written amount shall govern.)**

**BID BREAKDOWN:**

For Owner accounting purposes only, provide a breakdown of the Base Bid, by Building, as follows:

Base Bid, Building Five	(\$ <u>524,913.00</u> )
Base Bid, Building Six	(\$ <u>497,062.00</u> )
Base Bid, Building Seven	(\$ <u>73,130.00</u> )

A Unit Price is an amount stated in the Bid Form as a price per unit of measurement for materials, equipment or services or a portion of the Work as described in the Bidding Documents. Unit prices shall be used solely for the formulation of any change orders subsequently requested for the awarded contract.

Unit Price No. 1:	Repair of limestone panel surfaces as indicated on the drawings. <u>20 Square Feet is included in the Base Bid.</u> See Section 01 7300 Execution See Section 01 2200 Unit Prices	\$	<u>100.00</u>	Add or Deduct Per Square Foot
Unit Price No. 2:	Repeat cleaning procedure as specified in Section 040110 "Masonry Cleaning" Paragraph 3.4.A.5 as revised in Addendum No. 2. See Section 01 7300 Execution See Section 01 2200 Unit Prices	\$	<u>1.90</u>	Add Per Square Foot

**Reference No. 1 Name:**

Massaro Corporation

Position:

Address:

120 Delta Drive - Pittsburgh, PA 15238

Telephone Number:

412-963-2800

Project Name:

WVU AERB

Project Description:

Caulking

**Reference No. 2 Name:**

P.J. Dick, Inc.

Position:

Address:

P.O. Box 6774 - Pittsburgh, PA 15212

Telephone Number:

412-807-2000

Project Name:

Frank B. Fuhrer Warehouse Expansion

Project Description:

Expansion &amp; Renovations - Joint Sealants

**Reference No. 3 Name:**

Lobos Management

Position:

Address:

103 McKnight Circle - Pittsburgh, PA 15237

Telephone Number:

412-441-1400

Project Name:

Queensbury Apartments

Project Description:

Deck Coating System/Waterproofing

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.:** \_\_\_\_\_

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3            | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5            | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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 information issued in writing and added to the specifications by an official addendum is binding.

Mariani & Richards, Inc.

\_\_\_\_\_  
Company



\_\_\_\_\_  
Authorized Signature

June 15, 2015

\_\_\_\_\_  
Date

**NOTE:** This addendum acknowledgement should be submitted with the bid to expedite document processing.  
 Revised 6/8/2012

**ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)**

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor. West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Mariani + Richards, Inc.

Contractor's License No. WV 032210

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a Award Document.

2. **DRUG-FREE WORKPLACE AFFIDAVIT:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.
- 2.1. **DRUG-FREE WORKPLACE POLICY:** Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article. The awarding public authority shall cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.
3. **DRUG FREE WORKPLACE REPORT:** Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the

public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

- (1) Information to show that the education and training service to the requirements of West Virginia Code § 21-1D-5 was provided;
- (2) The name of the laboratory certified by the United States Department of Health and Human Services or its successor that performs the drug tests;
- (3) The average number of employees in connection with the construction on the public improvement;
- (4) Drug test results for the following categories including the number of positive tests and the number of negative tests: (A) Pre-employment and new hires; (B) Reasonable suspicion; (C) Post-accident; and (D) Random.

Vendor should utilize the attached Certified Drug Free Workplace Report Coversheet when submitting the report required hereunder. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

4. **AIA DOCUMENTS:** All construction contracts that will be completed in conjunction with architectural services procured under Chapter 5G of the West Virginia Code will be governed by the AIA A101-2007 and A201-2007 or the A107-2007 documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein.
5. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$250,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects. Additionally, if no subcontractors who will perform more than \$25,000.00 of work are to be used to complete the project, it will be noted on the subcontractor list.
  - a. **Required Information.** The subcontractor list shall contain the following information:
    - i. Bidder's name
    - ii. Name of each subcontractor
    - iii. License numbers as required by W. Va. Code § 21-11-1 et. seq.
    - iv. Notation that no subcontractor will be used to perform more than \$25,000.00 of work, when applicable
  - b. **Submission.** The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor



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

STATE OF WEST VIRGINIA,  
COUNTY OF Kanawha, TO-WIT:

I, Thomas Schmidt, after being first duly sworn, depose and state as follows:

1. I am an employee of Mariani & Richards, Inc.; and,  
(Company Name)
2. I do hereby attest that Mariani & Richards, Inc.  
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D.**

The above statements are sworn to under the penalty of perjury.

By: Thomas Schmidt  
 Title: Vice President  
 Company Name: Mariani & Richards, Inc.  
 Date: June 15, 2015

Taken, subscribed and sworn to before me this 15th day of June, 2015.

By Commission expires 6-19-19

(Seal)

COMMONWEALTH OF PENNSYLVANIA  
 NOTARIAL SEAL  
 Angela V. Borris, Notary Public  
 City of Pittsburgh, Allegheny County  
 My Commission Expires June 19, 2019  
 MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Angela Borris  
 (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.**

**CERTIFICATION AND SIGNATURE PAGE**

By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Mariani & Richards, Inc.  
(Company)

Tom Schmidt, Vice President  
(Authorized Signature) (Representative Name, Title)

412-884-3737 412-881-6881 June 15, 2015  
(Phone Number) (Fax Number) (Date)



# CONTRACTOR LICENSE

Authorized by the

**West Virginia Contractor Licensing Board**

**Number:** WV032210

**Classification:**

MASONRY

MARIANI & RICHARDS INC  
DBA MARIANI & RICHARDS INC  
2800 LIBRARY RD  
PITTSBURGH, PA 15234

**Date Issued**

**Expiration Date**

MARCH 28, 2015

MARCH 28, 2016

Authorized Company Signature

Chair, West Virginia Contractor  
Licensing Board

**WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD**

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

Agency Purchasing Division  
REQ.P.O# GSD1500000028

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Mariani & Richards, Inc.  
of 2800 Library Road, Pittsburgh, PA 15234, as Principal; and Fidelity & Deposit Company of  
Maryland of Baltimore, Maryland, a corporation organized and existing under the laws of the State of  
Maryland with its principal office in the City of Schaumburg, Illinois, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblige, in the penal sum of Five Percent (5%) of Bid (\$ 5%) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
Exterior Caulking and Cleaning of Buildings 5, 6 and 7

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal  
attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform  
the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in  
full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no  
event, exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no  
way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby  
waive notice of any such extension.

WITNESS, the following signatures and seals of Principal and Surety, executed and sealed by a proper officer of Principal and  
Surety, or by Principal individually if Principal is an individual, this 10th day of June, 2015

Principal Seal

Mariani & Richards, Inc.  
(Name of Principal)  
By [Signature]  
(Must be President, Vice President, or  
Duty Authorized Agent)  
Vice President  
(Title)

Surety Seal

Fidelity & Deposit Company of Maryland  
(Name of Surety)  
[Signature]  
Attorney-in-Fact  
Edward D. Rawlings

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance, must affix its seal, and  
must attach a power of attorney with its seal affixed.

**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 **GEOFFREY DELISIO, 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 **Edward D. RAWLINGS, Rachel M. CRONEN, Vincent T. DETORE, Janice A. URSCHLER, Erica L. FLACK, Robert P. MILLER, David BLAHNIK and Cheryl I. FICHTER, all of Pittsburgh, Pennsylvania, 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 2nd day of October, A.D. 2013.

ATTEST:

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



By: *Eric D. Barnes*  
*Eric D. Barnes*  
Assistant Secretary  
Eric D. Barnes

*Geoffrey Delisio*  
*Geoffrey Delisio*  
Vice President  
Geoffrey Delisio

State of Maryland  
City of Baltimore

On this 2nd day of October, A.D. 2013, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **GEOFFREY DELISIO, Vice President, and ERIC D. BARNES, Assistant 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*  
Maria D. Adamski, Notary Public  
My Commission Expires: July 8, 2015



**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 10th day of June, 2015.



A handwritten signature in cursive script that reads "Thomas O. McClellan".

Thomas O. McClellan, Vice President