



Regional Transit Authority
Change Order Routing Sheet

INSTRUCTION: The user department is responsible for providing the information requested below (all parts), securing the requisite signatures, attaching a justification for the change order, and providing a responsibility determination, with pertinent contact information.

A. Department Representative to participate in procurement process:

<u>Fred Roberts</u>	<u>Infrastructure Project Manager</u>	<u>8305</u>
Name	Title	Ext.

B. Contract No.: _____

Contract Title and PO No: Exterior Envelope Repair ENO Maintenance Building P.O. 913468

C. Contract History:

Award Value	\$	<u>580,000.00</u>
Previously Executed Change Orders	\$	_____
Previous Contract Value Prior to Requested Change Order (Sum)	\$	<u>580,000.00</u>
Value of Current Change Order	\$	<u>157,577.00</u>
Revised Contract Value	\$	<u>737,577.00</u>

D. Justification of Change Order:

The original Design Package from CDM Smith consisted of a Base Bid and included three Add/Alternate scopes of work for the total exterior envelope repair. Due to budget constraints at the time of the bid process, funding would only permit the awarding of the Base Bid and Add/Alt No. 1. Additional sources of funding have been obtained and this change order is to amend the contract to include all scope as shown on the Louisiana Uniform Public Work Bid Form.

E. Type of Change Requested: Administrative Supplemental Termination

F. Responsibility Determination: Price determined fair and reasonable based on

G. Prime firm's DBE/SLDBE Commitment (NOTE: The Prime Firm must be notified by the Project Manager that the DBE Commitment percentage applies to the Total Contract Value after all amendments and change orders.):

18 % DBE 0 % SLDBE 0 % Small Business

Additional Information _____

Alvin E. Exposito
DBE/EEO Compliance Manager

9/28/2021
Date



H. Certification of Authorized Grant:

Is this item/specification consistent with the Authorized Grant?

Yes

No

Are there any amendments pending?

Yes

No

If Yes, please attach the amendment to this Routing Sheet and explain.

Raymond Va
Director of Grants/ Federal Compliance

9/27/2021
Date

I. Funding Source: Federal State Local Other: _____

Funds are specifically allocated in the Department's current fiscal year budget or in a grant to cover this expenditure as follows:

Total Amount Available \$ 1,148,027.26

Projected Cost \$ 737,577.00

Previous Cost \$ 580,000.00

FTA Grant No.(s) \$

Line Item(s) \$

Operations/Department Code \$

Budget Code(s) \$ LA040045.1132, LA2016-019.1132

Other \$ LA2019-016.1132, LA2021.031.1132

NA
Budget Analyst

Date

Chief Financial Officer

Date

J. Michael J Smith

10/5/21
9/27/21

Safety (If applicable)

Date

K. Authorizations:

Kona Edward Hendon
Department Head

9/26/2021
Date

Kona Edward Hendon
Division Manager

9/26/2021
Date

[Signature]
Director of Procurement

9/26/21
Date

[Signature]
Chief Executive Officer

10/6/21
Date



Change Order No. 001-R1

Date of Issuance: September 22, 2021 Effective Date: September 22, 2021
 Owner: New Orleans Regional Transit Authority Owner's Contract No.: RTA IFB# 2020-021
 Contractor: CDW Services, LLC Contractor's Project No.:
 Architect: CDM Smith Inc./CDM Architects Inc Architect's Project No.: 96418 220631 CO1
 Project: ENO Maintenance Building Exterior Envelope Repairs

The Contract is modified as follows upon execution of this Change Order:

Description:

Addition of Alternates No. 2 and No. 3 as defined in the construction bid documents dated September 16, 2020 with addendums.

Alternate No. 2: Gutter, Downspouts and Internal Gutter Replacement

Alternate No. 3: Exterior Panel Cleaning, Gasket Repair, Window Sealing, Masonry Cleaning and Sealing.

Attachments: *Construction Change Order Request from CDW, dated September 15, 2021*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>580,000.00</u>	Original Contract Times: Substantial Completion: <u>No Change</u> Ready for Final Payment: <u>No Change</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to Original Contract Price: \$ <u>NA</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: <u>NA</u> Ready for Final Payment: <u>NA</u> days
Contract Price prior to this Change Order: \$ <u>580,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>No Change</u> Ready for Final Payment: <u>No Change</u> days or dates
Increase of this Change Order: \$ <u>157,577.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>No Change</u> Ready for Final Payment: <u>No Change</u> days or dates
Contract Price incorporating this Change Order: \$ <u>737,577.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>No Change</u> Ready for Final Payment: <u>No Change</u> days or dates

<p>RECOMMENDED:</p> <p>By: <u></u> Architect</p> <p>Title: <u>Architect of Record</u></p> <p>Date: <u>September 22, 2021</u></p>	<p>ACCEPTED:</p> <p>By: <u></u> Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: <u>9/26/2021</u></p>	<p>ACCEPTED:</p> <p>By: _____ Contractor (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>
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721 Papworth Avenue, Ste. 101
Metairie, LA 70005
La State License # 45228
Office: (504) 828-2061 • Fax: (504) 828-2063

September 15, 2021

Charlotte Throop, AIA
CDM Smith
1515 Poydras St. Suite 1000
New Orleans, LA 70112

RE: Exterior Envelope Repairs at ENO Maintenance
3900 Desire Parkway
New Orleans, LA 70126

Charlotte,

C.D.W. Services, LLC will accept add alternates number 2 and 3 to be added to our contract per change order as follows:

Alternate No. 2 Add Alternate for gutter and downspouts and internal gutter replacement for the lump sum of: NINETY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-SEVEN AND NO CENT DOLLARS (\$98,577.00).

Alternate No. 3 Add Alternate for exterior panel cleaning, gasket repair, window sealing and masonry cleaning and sealing for the lump sum of: FIFTY-NINE THOUSAND AND NO CENT DOLLARS (\$59,000.00).

The total change order add shall be \$157,577.00. Should you have any questions please contact us

C.D.W. SERVICES, LLC

A handwritten signature in black ink that reads 'Vic Lamastus'.

Vic Lamastus, CPE
Senior Estimator

Hankins, Lona

From: estimator@cdwservices.com
Sent: Tuesday, September 14, 2021 12:09 PM
To: Roberts, Fred; 'Christopher Walker'
Cc: 'Throop, Charlotte (Bellan)'; whatch@cdwservices.com
Subject: RE: Additional Scope may be added to ENO Maintenance Building

Fred,

We reached out to our roofing contractor regarding Alternate No. 2 and the price for the stainless steel and other material has increased, our new number for this alternate would be \$98,577.00. Alternate No. 3 would be no change in price. If you are okay with this we will submit a change order request accordingly.

Thanks,

Vic Lamastus, CPE

CDW Services, LLC
3500 N. Causeway Blvd, Ste. 1208
Metairie, LA 70002

504-828-2061 office
504-828-2063 fax
504-495-9782 Cell
estimator@cdwservices.com

From: Roberts, Fred <froberts@rtaforward.org>
Sent: Thursday, September 9, 2021 4:25 PM
To: 'Christopher Walker' <cwalker@cdwservices.com>
Cc: estimator@cdwservices.com; Throop, Charlotte (Bellan) (throopca@cdmsmith.com) <throopca@cdmsmith.com>
Subject: Additional Scope may be added to ENO Maintenance Building

Mr. Walker,

In reviewing funding the RTA has additional dollars which may be used in the current project.

The original bid only allowed funding for the base and add/alt1.

I have attached the form for your review.

Please submit a proposal which would enable Add/alt 2 and Add/alt 3 to be reviewed for approval.

This proposal would be used in order for CDM Smith to submit a change order to your contract for additional scope.

Fred Roberts, | Infrastructure Project Manager
2817 Canal Street, New Orleans, LA 70119
Office: 504.827.8305 | Mobile: 504.295.2350 | Fax: 504.648.5124
Email : froberts@rtaforward.org

Regional Transit Authority
 INV.: Accounting Dept (504) 827-8407
 2817 Canal Street
 New Orleans, Louisiana 70119

Page : 7/21/21
 Order No. : 213468-000
 Brn/Pit : LA2016-019

CDW SERVICES LLC
 721 PAPERWORTH AVENUE
 SUITE 101
 METAIRIE LA 70005

SHIP REGIONAL TRANSIT AUTHORITY
 TO
 2817 CANAL STREET
 NEW ORLEANS, LA 70119

Ordered - 07/21/21 Vendor No. 8349283 ENO Envelope Repairs
 Delivery - 07/21/21 Taken By 104965/2020-0357
 Freight - Default - Handling Code PROMISED DELIVERY DATE - 08/21/21

Description / Supplier Item	UM	Unit Cost	Extension
ENO Maintenance Building Exterior Envelope Repair LA2019-016-1132-117208	LS	113,884.23	
REHAB/REN ENO ROOF Non Stock Inventory Purchas LA2016-019-1132-114028	LS	142,470.00	
Construction Services Non Stock Inventory Purchas LA040045-1132-117111	LS	323,645.77	

Terms Net 30 Tax Rt Total Order 580,000.00

DATE RECEIVED
 RECEIVED BY
 CHECKED BY
 APPROVED BY

ORDER NUMBER AND PERSON TO WHOM ADDRESSED MUST APPEAR ON ALL PACKAGES AND INVOICES

REGIONAL TRANSIT AUTHORITY
 TAX EXEMPT
 BY *[Signature]* 7/21/21
 MANAGER, PURCHASING DEPT.

ANY CONFLICT, DISPUTE, LEGAL PROCEEDING SETTLEMENT OR OTHER MATTER HAVING A LEGALLY BINDING IMPACT ON THE PARTIES HEREIN SHALL BE RESOLVED PURSUANT TO THE LAWS AND JURISPRUDENCE OF THE STATE OF LOUISIANA.

INV. DATE INV. NUMBER INV. AMOUNT TAX FREIGHT INV. TOTAL

[Handwritten Signature]
 10/18/21

LOUISIANA UNIFORM PUBLIC WORK BID FORM

TO: New Orleans Regional Transit Authority
2817 Canal Blvd.
New Orleans, La 70119

(Owner to provide name and address of owner)

BID FOR: Exterior Envelope Repairs at ENO Maintenance Building
3900 Decaire Parkway
New Orleans, La 70126

(Owner to provide name of project and other identifying information)

The undersigned bidder hereby declares and represents that she/he; a) has carefully examined and understands the Bidding Documents, b) has not received, relied on, or based his bid on any verbal instructions contrary to the Bidding Documents or any addenda, c) has personally inspected and is familiar with the project site, and hereby proposes to provide all labor, materials, tools, appliances and facilities as required to perform, in a workmanlike manner, all work and services for the construction and completion of the referenced project, all in strict accordance with the Bidding Documents prepared by: CDM Architects Inc./CDM Smith and dated: March 15, 2021

(Owner to provide name of entity preparing bidding documents.)

Bidders must acknowledge all addenda. The Bidder acknowledges receipt of the following **ADDENDA**: (Enter the number the Designer has assigned to each of the addenda that the Bidder is acknowledging) 1-3/31/21, 2-4/12/21

TOTAL BASE BID: For all work required by the Bidding Documents (including any and all unit prices designated "Base Bid" * but not alternates) the sum of:

FOUR HUNDRED TWENTY SIX THOUSAND Dollars (\$ 426,000.00)

ALTERNATES: For any and all work required by the Bidding Documents for Alternates including any and all unit prices designated as alternates in the unit price description.

Alternate No. 1 Add Alternate for sheet metal parapet cap replacement and lightning protection and ladder replacement for the lump sum of:

ONE HUNDRED FIFTY-FOUR THOUSAND Dollars (\$ 154,000.00)

Alternate No. 2 Add Alternate for gutter and downspouts and internal gutter replacement for the lump sum of:

EIGHTY-NINE THOUSAND Dollars (\$ 89,000.00)

Alternate No. 3 Add Alternate for exterior panel cleaning, gasket repair, window sealing and masonry cleaning and sealing for the lump sum of:

FIFTY-NINE THOUSAND Dollars (\$ 59,000.00)

NAME OF BIDDER: C.D.W. Services LLC

ADDRESS OF BIDDER: 721 Papworth Ave, Ste 101, Metairie, LA 70005

LOUISIANA CONTRACTOR'S LICENSE NUMBER: 45228

NAME OF AUTHORIZED SIGNATORY OF BIDDER: Christopher Walker

TITLE OF AUTHORIZED SIGNATORY OF BIDDER: Managing Member

SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER **: 

DATE: 04/15/21

THE FOLLOWING ITEMS ARE TO BE INCLUDED WITH THE SUBMISSION OF THIS LOUISIANA UNIFORM PUBLIC WORK BID FORM:

* The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.

** A **CORPORATE RESOLUTION OR WRITTEN EVIDENCE** of the authority of the person signing the bid for the public work as prescribed by LA R.S. 38:2212(B)(5).

BID SECURITY in the form of a bid bond, certified check or cashier's check as prescribed by LA R.S. 38:2218(A) attached to and made a part of this bid.

LOUISIANA UNIFORM PUBLIC WORK BID FORM

UNIT PRICE FORM

TO: New Orleans Regional Transit Authority
2817 Canal Blvd.
New Orleans, Louisiana 70119

BID FOR: Exterior Envelope Repairs at ENO Maintenance Building
3900 Desire Parkway
New Orleans, Louisiana 70126

(Owner to provide name and address of owner)

(Owner to provide name of project and other identifying information)

UNIT PRICES: This form shall be used for any and all work required by the Bidding Documents and described as unit prices. Amounts shall be stated in figures and only in figures.

DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#	QUANTITY:	UNIT OF MEASURE:	UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)
REF. NO. 1		1	SF	Roof Coating \$3.80/sf	\$3.80/sf
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO. 2		1	LF	Roof System Flashing \$18.00/sf	\$18.00/sf
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO. 3		1	LF	Expansion Joint at either side of Central High Bay	\$18.00/sf
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO. 4		1	Each	Roof accessories (Boots)	\$110.00 each
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO.				UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO.				UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO.				UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)
DESCRIPTION:	<input type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.#				
REF. NO.				UNIT PRICE	UNIT PRICE EXTENSION (Quantity times Unit Price)

Wording for "DESCRIPTION" is to be provided by the Owner.
All quantities are estimated. The contractor will be paid based upon actual quantities as verified by the Owner

CERTIFICATE OF AUTHORITY OF LIMITED LIABILITY COMPANY

Date: April 15, 2021

The undersigned (the "Members") hereby certify that the Members are all of the members of C.D.W. SERVICES, L.L.C. (the "Company") or all of the members or managers of the Company required by the Company's articles of organization or operating agreement or contract to transact the Company's business and to grant the authority granted herein. Each of the Members hereby certifies that the Company is a limited liability company or domestic limited liability company, as such terms are defined in La. R. S. 12:1301, organized under the laws of the State of Louisiana and registered with the Louisiana Secretary of State in accordance with La. R.S. 12:1301, et seq., or a foreign limited liability company authorized to do business in the State of Louisiana pursuant to a certificate of authority issued by the Louisiana Secretary of State pursuant to La. R.S. 12:1342, et seq.

The Members hereby authorize, name, constitute and appoint:

CHRISTOPHER D. WALKER (referred to as "Authorized Individual" whether one or more, with any one of them having full authority to act alone on behalf of the Company) for and in the name and on behalf of the Company to do the following, until written instructions to the contrary are provided by the Company;

- i) Authority to conduct, manage, and transact the business and affairs for and on behalf of the Company; to purchase, sell, transfer, and convey or to mortgage real estate and to receive the price thereof, in the name of the Company, on such terms and conditions as said Authorized Individual shall deem proper in said Authorized individual's sole and uncontrolled discretions, and receive and receipt for rents and proceeds thereof as the same shall fall due; to make, sign and execute in name of the Company, all acts, whether of sale, mortgage, lease, re-lease, contract, compromise, covenant, deed, assignment, agreement, tax returns or otherwise, that shall or may be requisite or necessary; or containing such terms, conditions and provisions as said Authorized Individual shall deem fit and proper and bind the Company thereby as firmly as if same were or had been its own proper act and deed; to ask, demand, have, take, sue for and by all lawful ways and means to recover and receive of and from all and every persons, firms or Company, all and every sum of money, goods, debts, property and effects whatsoever, that now is or are or may hereafter be in his, her, their or its custody or possession, due, owing, coming or belonging to the Company, whether by bills, notes, book-debts, accounts, consignments, or for and by any reasons or means whatsoever, and to that end with whom it may concern, to accept and settle all accounts, and upon recovery and receipt, the premises to make and give good and sufficient discharge and acquaintances; to appear before all courts of law, and there to do, prosecute and defend, as occasion shall require, or to compromise, compound and agree in the premises, by arbitration or otherwise, as the said Authorized Individual shall in said Authorized Individual's discretion, think fit, also to apply for and obtain all and any attachments, sequestrations, injunctions and appeals, or give the requisite security and sign the necessary bonds; negotiate, settle, and compromise any and all causes of action associated to the damaging of any property described herein; to receive and receipt any and all proceeds thereof and to execute any and all documents or compromise agreements or settlement agreements in association therewith; and generally to do and perform all and every other act, matter and thing whatsoever as shall or may be requisite or necessary in the premises, as in the sole discretion of said Authorized Individual may seem requisite or proper, all as fully, amply and effectually, and to all intents and purposes with the same validity as if all and every such act, matter or thing, were or had been particularly stated, expressed and especially provided for, or as the Company could or might do if personally present; also with full power of substitution and revocation; and the said Company hereby agrees to ratify and confirm all and whatsoever the said Authorized Individual shall lawfully do or cause to be done by virtue of this Certificate of Authority.
- ii) Further, Authorized Individual is hereby authorized and empowered to appear before a Notary Public to sign and execute on behalf of the Company any and all documents necessary to perform the within described acts which he in his sole discretion shall deem necessary and proper. The Company and all members thereof shall be bound by all instruments, documents, agreements, and other writing executed by the Authorized Individual.
- iii) Further, that any and all action taken by Authorized Individual in Connection with this Certificate of Authority is hereby ratified and confirmed.
- iv) All persons, firms or corporations shall be entitled to rely on the authority granted herein to the Authorized Individual unless or until written instructions to the contrary signed by the Members are received by them.


CHRISTOPHER D. WALKER, Managing Member

Bid Bond



AIA Document A310™ – 2010

CONTRACTOR:

(Name, legal status and address)

C.D.W. SERVICES, LLC
721 Papworth Avenue, Suite 101
Metairie, LA 70005

SURETY:

(Name, legal status and principal place of business)

Lexon Insurance Company
10002 Shelbyville Rd., Suite 100
Louisville, KY 40223

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

New Orleans Regional Transit Authority
2817 Canal Street
New Orleans, LA 70119

BOND AMOUNT: FIVE PERCENT (5%) OF AMOUNT BID Dollars

PROJECT:

(Name, location or address, and Project number, if any) **ENO Maintenance and Office Buildings Exterior Envelope Repairs, 3900 Desire Parkway, New Orleans, LA 70126; IFB #2020-021**

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 15th day of April, 2021

Dasha Ojifunmi
(Witness)

C.D.W. SERVICES, LLC
(Principal) *(Seal)*

Sherry Janssen
(Witness)

Lexon Insurance Company
(Surety) *(Seal)*

Countersigned: *Anthony Carrera*
Anthony Carrera Louisiana Licensed Agent #99546

Anthony Carrera
(Title) Anthony Carrera, Attorney-in-fact

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured



POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS, that **Endurance Assurance Corporation**, a Delaware corporation, **Endurance American Insurance Company**, a Delaware corporation, **Lexon Insurance Company**, a Texas corporation, and/or **Bond Safeguard Insurance Company**, a South Dakota corporation, each, a "Company" and collectively, "**Sompo International**," do hereby constitute and appoint: **Anthony Currera, Alexander J. Ellsworth, Kathryn Moore, Norma Toups** as true and lawful Attorney(s)-in-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of **Ten Million Dollars (\$10,000,000.00)**.

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the **President** of the Company under its corporate seal attested by its **Corporate Secretary**.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019 and said resolution has not since been revoked, amended or repealed.

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15th day of June, 2019.

Endurance Assurance Corporation
By: *Richard M Appel*
Richard Appel; SVP & Senior Counsel



Endurance American Insurance Company
By: *Richard M Appel*
Richard Appel; SVP & Senior Counsel



Lexon Insurance Company
By: *Richard M Appel*
Richard Appel; SVP & Senior Counsel



Bond Safeguard Insurance Company
By: *Richard M Appel*
Richard Appel; SVP & Senior Counsel



ACKNOWLEDGEMENT

On this 15th day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: *Amy Taylor*
Amy Taylor, Notary Public, My Commission Expires 5/9/23



CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy hereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof.
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company and all bonds, undertakings or obligations in surety or co-surety with others: **RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARKO, MARIANNE L. WILBERT**; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company.

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 15th day of April, 2021.

By: *Daniel S. Luns*
Daniel S. Luns, Secretary

NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. Please read this Notice carefully.

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - <https://www.treasury.gov/resource-center/sanctions/SDN-List>.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: LexonClaimAdministration@sompo-intl.com

Telephone: 615-563-9600 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870