

CITY of NOVI CITY COUNCIL

Agenda Item J November 9, 2015

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SUBJECT: Approval of the final payment to Nagle Paving Company for the Fire Station No. 3 Parking Lot project in the amount of \$4,222.10, plus interest earned on retainage.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division BTC

CITY MANAGER APPROVAL:

EXPENDITURE REQUIRED	\$ 4,222.10	
AMOUNT BUDGETED	\$ 23,798.00	
LINE ITEM NUMBER	101-442.10-981.000	

BACKGROUND INFORMATION:

The Engineering Division completed the *Parking Lot Inventory and Maintenance Plan* in January 2014 to provide a coordinated plan to properly manage parking lot pavement for all City-owned parking lots using an asset management approach. The rehabilitation of the parking lot at Fire Station No. 3 was recommended as a near term recommendation by the report and was approved for construction in the FY14-15 budget. The project also included pavement reconstruction in areas that had shown signs of structural failure and drainage improvements were added to prolong the life of the new pavement.

The construction contract was awarded for this project at the April 20, 2015 City Council meeting to Nagle Paving Company in the amount of \$92,010.00.

Engineering staff worked with the engineering consultant for this project, OHM-Advisors, Inc., to review and verify the final contract payment amount of \$4,222.10 that is due the contractor (Final Pay Estimate No. 3, attached). The City Attorney reviewed the documentation and found it to be in an acceptable form (Beth Saarela's October 23, 2015 letter, attached).

There was one (1) approved change order issued for this project resulting in a net decrease of \$10,433.86 to the construction contract, or 11.3% under the awarded amount. Most changes were a result of decreased quantities and balancing of originally projected amounts. The approved change orders resulted in a final contract price of \$81,576.14.

RECOMMENDED ACTION: Approval of the final payment to Nagle Paving Company for the Fire Station No. 3 Parking Lot project in the amount of \$4,222.10, plus interest earned on retainage.

	1	2	Υ	Ν
Mayor Gatt				
Council Member Burke				
Council Member Casey				
Council Member Markham				

	1	2	Υ	Ν
Council Member Mutch				
Council Member Staudt				
Council Member Wrobel				



Author: Croy 9/12/14 Project: Fire Station #3 Park Lot Rehab Version #: v1.0

MAP INTERPRETATION NOTICE





City of Novi Engineering Division Department of Public Service 26300 Lee BeGole Drive Novi, MI 48375 cityofnovi.org



North Entrance and Parking Lot from Roethel Drive, looking west.



South Garage Entrance from Roethel Drive, looking west.

FIRE STATION No. 3, Continued



Rear Parking Lot Area, looking southwest.



JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331 Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela esaarela@jrsjlaw.com

www.jrsjlaw.com

October 23, 2015

Aaron Staup, Engineering Coordinator CITY OF NOVI Department of Public Services Field Services Complex 26300 Lee BeGole Drive Novi, MI 48375

Re: Fire Station No. 3 Parking Lot Nagle Paving Company *Closing Documents*

Dear Mr. Staup:

We have received and reviewed closing documents for the Fire Station No. 3 Parking Lot Project:

- 1. Application for Final Payment
- 2. Contractor's Sworn Statement
- 3. Consent of Surety

The existing Maintenance and Guarantee Bond is adequate based on the final contract amount. Subject to approval of the Application for Final Payment by appropriate City staff, the closing documents appear to be in order.

We note that the General Contractor has not provided a Waiver of Lien and receipt of final payment in the amount should be conditioned upon receipt of this Waiver of Lien.

Aaron Staup, Construction Engineering Coordinator October 23, 2015 Page 2

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.

Elizabeth Kudla Saarela

EKS

Enclosures

C: Maryanne Cornelius, Clerk (w/Enclosures) Rob Hayes, Public Services Director (w/Enclosures) Carl Johnson, Finance Director/Chief Financial Officer (w/Enclosures) Brian Coburn, Engineering Manager (w/Enclosures) Jacob Rushlow, OHM (w/Enclosures) Thomas R. Schultz, Esquire (w/Enclosures)



CITY OF NOVI

PURCHASE ORDER NO. 94482

26300 Lee BeGole Dr. Novi, Michigan 48375 Tel: (248) 347-0454 Fax: (248) 735-5659

100%

100%

100%

100%

100%

166.50

91.50

50.00

250.00

68,162.79

Balance Due This Payment = \$ 4.222.10

				A	PPLICATI	ON FC	DR FINA	L PAYME	NT					
PROJEC	CT: Fire Station No. 3 Parking I	Lot	nemesta kontransista t	NOVI PROJEC	T NO.:	15-8201	100112010020000000000000000000000000000	ana ana amin'ny fisiana amin'ny fisiana amin'ny fisiana amin'ny fisiana amin'ny fisiana amin'ny fisiana amin'ny		PAYMENT NO .:	renerit itiliyeti iti	FINAL		
OWNER	: City of Novi 45175 W. Ten Mile Road Novi, Michigan 48375			ENGINEER:			OHM Advisors 34000 Plymouth Road Livonia, Michigan 48150			CONTRACTOR:		Nagle Paving Company 39525 W. 13 Mile Rd., Suite 300 Novi, Michigan 48377 (248) 553-0600		00
CONTRA	ACT AMOUNT			FINAL COMPL	ETION DATES	(734) 522-	0711			DATES OF ESTI	MATE	(246) 553	3-0600	
ORIGINA	AL: \$92,0	010.00		ORIGINAL:			July 15, 1	2015	_	FROM:			August 1, 2015	
	-			REVISED:			July 20,		-			· · · · · · · · · · · · · · · · · · ·		
REVISE		576.14		ACTUAL:		·	August 25	<u> </u>		то:			August 25, 2015	
	SECTION 1.						COS	T OF COMPLETE	WORK TO	DATE				
ltem	Fire Station No. 3 GL#101-442.10-981.100		C	CONTRACT ITEMS	(Original)	(CONTRACT ITEN	/IS (Revised)		THIS PERIOD			TOTAL TO DATE	
No.	Description of Item	Unit	Quantity	Cost/Unit	Total Amt	Quantity	Cost/Unit	Total Amt	Quantity	Amount	%	Quantity	Amount	%
	Constr. Inspection "Crew Day"	CD	Skiennen sternen sinder w	\$ 640.00	on and proposition of the second second	10.00	\$ 640.00	As not a solution of a property of a second second					\$ 10,240.00	160%
	Digital Video Recorded Survey	LS	1.00	\$ 1,300.00		1.00	\$ 1,300.00		-			1122	\$ 1,300.00	100%
	raffic Maintenance and Control	LS	1.00	\$ 1,800.00		1.00	\$ 1,800.00				ļ		\$ 1,800.00	100%
	Nobilization, Max. 10%	LS	1.00	\$ 4,500.00		1.00	\$ 4,500.00						\$ 4,500.00	100%
	Curb and Gutter Removal	FT	52.00	\$ 19.00	•	59.00	\$ 19.00			\$ 133.00	12%		\$ 1,121.00	100%
	Pavement, Removal	SY	1520.00	\$ 4.00				\$ 5,723.08				1430.77	, .,	100%
	ongit. Joint Repair, Pavt, Rem	SY	36.00		\$ 1,224.00		\$ 34.0						\$ 868.02	100%
	Sidewalk, Removal	SY	14.00	\$ 12.00	\$ 168.00		\$ 12.0			\$ 54.00	24%		\$ 222.00	100%
h	Tree, Removal	EA	1.00	\$ 750.00	\$ 750.00		\$ 750.0	·····					\$ 750.00	100%
	ence, Removal	FT	80.00	\$ 8.00	\$ 640.00	4	\$ 8.0			<u> </u>			\$ 640.00	100%
	Parking Block, Removal	EA	11.00	\$ 25.00	\$ 275.00	******	\$ 25.0						\$ 275.00	100%
	ight Pole, Removal	EA	1.00	\$ 750.00	\$ 750.00		\$ 750.0						\$ 750.00	100%
	Subgrade Undercutting, Type II	CY	150.00	\$ 45.00	\$ 6,750.00		\$ 45.0			1		2.59	\$ 116.55	100%
	Earth Moving	LS	1.00	\$ 7,600.00	\$ 7,600.00		\$ 7,600.0				500	1.00	\$ 7,600.00	100%
	Sprinkler Head, Relocate	EA	3.00	\$ 75.00			\$ 75.0			\$ 225.00	50%	6.00	\$ 450.00	100%
	Erosion Control, Silt Fence	FT	175.00	\$ 2.00			\$ 2.0		-				\$ 260.00	100%
	Spillway, Stone	SF	25.00	\$ 15.00			\$ 15.0	****		\$ 39.00	9%		\$ 414.00	100%
	Aggregate Base, 21AA, Limestone	TON	530.00	\$ 17.50	· · · · · ·		\$ 17.5						\$ 8,903,48	100%
	Maintenance Gravel	TON SY	25.00	\$ 17.00 \$ 6.00			\$ 17.0					0.00	¢ 0.074.50	4000/
	Geogrid Reinforcement HMA, 13A	TON	1200.00 315.00	\$ 6.00 \$ 84.00			\$ 6.0 \$ 84.0					1045.25 305.24	,	100%
r	TIVIA, IOA	TON	315.00	φ 04.00	⊅ 20,400.00	305.24	<u> </u> ⊅ 84.0	ບູຈ 25,640.16	'			305.24	\$ 25,640.16	100%

TOTAL THIS SHEET

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EA

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21 Pavt Mrkg, WB, 4-inch, White

Pavt Mrkg, WB, 4-inch, Blue

24 Sign, Handicap, Van Accessible

23 Pavt Mrkg, WB, Handicap Symbol

22

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26300 Lee BeGole Dr. Novi, Michigan 48375 Tel: (248) 347-0454 Fax: (248) 735-5659

APPLICATION FOR FINAL PAYMENT

PROJECT: Fire Station No. 3 Parking Lot

NOVI PROJECT NO .:

NO.: 15-8201

PAYMENT NO.: FINAL

<u></u>	SECTION 1.									COST	OF	COMPLETED	WORK TO	DAT	E					·····
ltem	Fire Station No. 3, Continued GL#101-442.10-981.100		¢	CONTRACT ITEMS (Original)			(CONT	RACT ITEMS	(Revi	ised)		тн	IS PERIOD				TOTAL TO DATE		
No.	Description of Item	Unit	Quantity	c	ost/Unit		al Amt	Quantity	c	Cost/Unit		Total Amt	Quantity		Amount	%	Quantity		Amount	%
25	Sidewalk, Conc, 4-inch	SF	100.00	\$	6.00		600.00	142.10	\$	6.00		852.60	42.10	\$	252.60	30%	142.10	\$	852.60	100%
26	Sidewalk Ramp, ADA, Conc, 6-inch	SF	25.00	\$	10.00		250.00	28.00	\$	10.00		280.00	3.00	\$	30.00	11%	28.00		280.00	100%
27	Curb and Gutter, Conc, Det D2	FT	195.00	\$	28.00		5,460.00	196.00	\$	28.00		5,488.00	1.00	\$	28.00	1%	196.00	\$	5,488.00	100%
28	Longit Joint Repair, 36" Wide, FD	SY	36.00	\$	75.00	\$	2,700.00	25.53	\$	75.00	\$	1,914.75					25.53	\$	1,914.75	100%
29	Parking Blocks, 6-foot	EA	11.00	\$	60,00		660.00	11.00	\$		\$	660.00	11.00	\$	660.00	100%	11.00	\$	660.00	100%
30	Epoxy Crack Sealant	FT	15.00	\$	20.00		300.00	0.00	\$	20.00							0.00			
31	PVC Inlet Modification	LS	1.00	\$	350.00	-	350.00	1.00	\$	350.00	\$	350.00					1.00	\$	350.00	100%
32	Infiltration Swale	FT	110.00	\$	21.00		2,310.00	108.00	\$	21.00	\$	2,268.00					108.00	\$	2,268.00	100%
33	Surface Restoration	LS	1.00	\$	1,600.00	\$	1,600.00	1.00	\$	1,600.00	\$	1,600.00					1.00	\$	1,600.00	100%
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	TOTAL FROM THIS SHEET					\$	14,230.00				\$	13,413.35		\$	970.60			\$	13,413.35	
	TOTAL FROM OTHER SHEET	-				\$	77,780.00				\$	68,162.79		\$	451.00			\$	68,162.79	
	SUBTOTAL	-				\$	92,010.00				\$	81,576.14		\$	1,421.60			\$	81,576.14	100%



26300 Lee BeGole Dr. Novi, Michigan 48375 Tel: (248) 347-0454 Fax: (248) 735-5659

FINAL

APPLICATION FOR FINAL PAYMENT

PROJECT: Fire Station No. 3 Parking Lot

NOVI PROJECT NO .:

15-8201

PAYMENT NO .:

NEW CONTRACT ITEMS

	SECTION 1.		COST OF COMPLETED WORK TO DATE											
						NEW CONTRAC	CT ITEN	мѕ		THIS PERIOD			TOTAL TO DATE	
ltem	Dependentions of them	Unit	Division	GL#	Quantity	Cost/Unit		Total Amt	Quantity	Amount	%	Quantity	Amount	%
No. 34	Description of Item	Unit	0 Division	0	0.00	\$ ~	\$	-	Quantity	Amount	70	0.00	\$ -	70
35			0	0	0.00	s -	s					0.00	\$-	
36			0	0	0.00	\$ -	\$					0.00	\$-	
37			0	0	0.00	\$ -	\$					0.00	\$ -	
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49			0	0	0.00	\$ -	\$	-				0.00	\$ -	
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51			0	0	0.00	\$ -	\$	-				0.00	\$ -	
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	TOTAL FROM THIS SHE						\$	-		\$-			\$-	
	TOTAL FROM OTHER SHEE	TS		\$ 92,010.0			\$	81,576.14		\$ 1,421.60			\$ 81,576.14	
	GRAND TOT	AL		\$ 92,010.0	0		\$	81,576.14		\$ 1,421.60			\$ 81,576.14	100%

CITY OF NOVI Cityofnovi.org	CITY OF	NOVI	C	PURC	CHASE ORDER NO. 94482			26300 Lee BeGole Dr. Novi, Michigan 48375 Tel: (248) 347-0454 Fax: (248) 735-5659
Section 2.	· · · · · · · · · · · · · · · · · · ·		·					
PROJECT: Fire Station No. 3	Parking Lot	AP NOVI PROJECT	NO.: 15-8201	r fina	AL PAYMENT	PAYMENT	NO.:	FINAL
Original Contract Amount:		\$	92,010.00		CHANGE OR	DERS		
Change Orders:		\$	(10,433.86) 🛩	<u>No.</u> 1	Date Sectors 1 2015	\$	<u>(10,433.86</u>	
Adjusted Contract Amount to Da	te:	\$	81,576.14 🛩	ı	September 1, 2015	\$	(10,433.66)	
Total Cost of Work Performed to	Date:	\$	81,576.14			\$ \$ \$	-	
MINUS Retainage: MINUS Inspection "Crew Days":	To Date 16.	0% \$.00 \$.00	3,840.00 ~~~			\$ \$ \$	-	
Net Amt. Earned of Contract and Ext		\$	77,736.14			\$ \$	-	
MINUS L.D.'s: # of days \$ amou		\$	1,800.00			\$ \$ \$	-	
Subtotal:		\$	75,936.14			\$	-	_
ADD Incentive "Crew Days", if u	nder:	\$	-		ΤΟΤΑ	L: \$	(10,433.86)
Subtotal:		\$	75,936.14					
	ments: ,475.04 // ,239.00 //	\$	71,714.04 🖌					
3 \$	-				Inspection "Crew Days" Allo		10.00]
4 \$	-				Additional "Crew Days" per		0.00	_
5\$	-				Total Inspection "Crew Days		10.00	4
6 \$ 7 \$	-				Inspection "Crew Days" Use		16.00	4
2 \$ 8 \$	-				Inspection "Crew Days" Rer	naming:	-6.00	
0 4 9 \$	-							
10 \$	-							
BALANCE DUE THIS P	AYMENT:	\$	4,222.10					



CITY OF NOVI

Date:

Date:

Section 3.

APPLICATION FOR FINAL PAYMENT NOVI PROJECT NO .:

PROJECT: Fire Station No. 3 Parking Lot

15-8201

PAYMENT NO .:

The undersigned CONTRACTOR certifies that: (1) Any previous progress payments received from OWNER on amount of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment; (2) title to all Work, materials, and equipment incorporated in said Work of otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all leins, claims, security interest, and encumberances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lein, claim security interest, or encumberence); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective as that term is defined in the Contract Documents.

Nagle Paving Company Contractor Company Contractor Authorized Signature By: Drint Mama

OHN Advisors Consultant Firm Consultant Authorized Signature

Rushlow By:

10-19-2015

10/19/15

All Full Unconditional Walvers of lien have been received from each subcontractor and/or supplier, reviewed and approved by the Consultant. Also, attached to this Final Payment is a copy of the Contractor's Swom Statement, Consent of Surety, and a new Maintenance and Guarantee Bond (if the amount is greater than the final contract price) or a Maintenance Bond Rider covering the difference between the final contract price and the awarded amount.

Payment of the above AMOUNT DUE THIS APPLICATION is recommended. CITY OF NOVI By: Aaron J. Staup, Construction Engineering Coordinator 15 3 D Dated: Brian Coburn, PE., Engineering Senior Manager By: Dated:

Novi, Michigan 48375 Tel: (248) 347-0454 Fax: (248) 735-5659

FINAL

28300 Lee BeGole Dr.



CONTRACTORS SWORN STATEMENT

The general contractor must execute this Sworn Statement. Prior to execution, the general contractor shall on Schedule B of this Sworn Statement list the names of all persons, firms, or corporations engaged by the General Contractor to furnish services, equipment, labor and/or materials in connection with the work performed on the premises including the type of work materials furnished by each.

The examining attorney shall verify that every person or firm listed in Schedule B has properly executed appropriate waivers of lien prior to issuance of any final payments.

STATE OF MICHIGAN

COUNTY OF Oakland

The undersigned, being duly sworn, on oath deposes and says that (s)he is the

Project Manager	of the	Nagle Paving Company
(Title)		(Firm Name)

the contractor employed by the City of Novi to furnish labor and materials for the

Novi Fire Station No.3 Parking Lot								
		(Description of Improvement)						
located at:	1 roui	MI						

The undersigned further states that all material (except as disclosed on said Schedule B) has been or will be furnished from his/her own stock and has been paid for in full; that there are no other contracts or subcontracts for said work outstanding, and that there is nothing due or to become due to any person for services, equipment, material, labor, or any other work done or to be done in connections with said work other than the stated on Schedule B. There are no chattel mortgages, personal property leases, conditional sale contracts or any other agreements given are now outstanding as to nay fixtures, equipment, appliances or materials placed upon or installed in or upon the aforementioned premises or improvements thereon. All waivers are true, correct, and genuine and are delivered unconditionally. Furthermore, there is no claim, either legal or equitable; to defeat the validity of said waivers.

Signed this	12th	day of		October		, 2015	
Name:		Nagle F	Paving Con	npany			_
		(individual/c	corporation/pa	rtnership)			-
By: Sean Pro	J ject Manage Mo en	ssel)	Attest:	gnes	Vice President		
Subscribed and swo Notary Public:	orn to befe	ere me this_	12th	day of	Octo	bber	, 2015

NOTARY SEAL

DAWN M. CONLON NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF MACOMB My Commission Expires Dec. 27, 2018 Acting in the County of

SCHEDULE B - CONTRACTORS SWORN STATEMENT

Subcontracting Firm	Material Furnished	Amount of Contract	Previously Paid to Date	Current Request	Retainage to Date	Balance Due
No subcontractors					#DIV/0!	\$0.00
					#DIV/0!	\$0.00
All material from fully prepaid stock					#DIV/0!	\$0.00
		<u></u>			#DIV/0!	\$0.00
					#DIV/01	\$0.00
		<u></u>			#DIV/0!	\$0.00
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				ann an	#DIV/0!	\$0.00
					#DIV/0!	\$0.00
				9999 ⁹⁹⁹ 99999999999999999999999999999	#DIV/0!	\$0.00
TOTALS		\$0.00	\$0.00	\$0.00		\$0.00

RECAPITULATION

 Amount of Original Contract:
 \$92,010.00
 Work Completed to Date:
 \$81,576.14

 Plus: Extras to Contract:
 Less: Total Retainage:
 \$0.00

 Total: Contract plus Extras:
 \$92,010.00
 Less: Amount Previously Paid:
 \$71,714.04

 Less: Credits to Contract:
 \$10,433.86
 Less: Amount of this Request:
 \$7,822.10

 Total: Adjusted Contract:
 \$81,576.14
 Total Balance Due:
 \$2,040.00

	Chuiser
CONSENT OF SURETY COMPANY	Architeet Commercia
TO FINAL PAYMENT	Surety
AIA DOCUMENT G707	Other Bond No 929613655
PROJECT: Fire Station # 3 Parking Lot Imp (name, address)	
TO: (Owner) City of Novi	ARCHITECT'S PROJECT NO:
45175 West Ten Mile Road Novi, MI 48375	CONTRACT FOR:
,	AND BARANDE A MANTE BE A CONTAN
CONTRACTOR:	CONTRACT DATE:
Nagle Paving Company 39525 West 13 Mile Road Novi, MI 48377	
In accordance with the provisions of the Contract be	tween the Owner and the Contractor as indicated above, the
Western Surety Company One Towne Square, Suite 1075 Southfield, MI 48076	SURETY COMPANY
on hond of there insert rame and address of Contractor)	
Nagle Paving Company 39525 West 13 Mile Road Novi, MI 48377	,CONTRACTOR,
	(or, and agrees that final payment to the Contractor shall not to there intertname and address of Owner)
City of Novi Novi, MI 48375 45175 West Ten Mile Road	,OWNER,
as sot furth in the said Surety Company's bond.	
IN WITNESS WHEREOF,	
the Surety Company has hereunto set its hand this	13th day of October, 2015
	Surety Company Western Surety Company
	Signature of Authorized Representative
Vileate State	Susan L Small, Attorney-in-Fact
NOTE This focus to be used as a companion document to ABA DEBTS AND CLAIMS, Concert rightion	DOCUMENT GRIE, CONTRACTOR'S APPIDAVITOF PAYMENT OF
MA DXX UMENT G707-CONSEND OF SURFTY COMPANY	TO FINAL PAYMENT-APRIL 1979 EDITION-ALAY

PAGE 2006 REPORTER AMERICAN INSTITUTE OF ARCHITECTS, 1935 NEW YORK, AVE., NW, WASHINGTON, D.C. 2000

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

Steven K Brandon, T J Griffin, William A Pirret, John L Budde, Terence J Griffin, Susan L Small, Patrick Williams, Individually

of Farmington Hills, MI, 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 Vice President and its corporate seal to be hereto affixed on this 25th day of June, 2015.

State of South Dakota County of Minnehaha

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On this 25th day of June, 2015, 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 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

February 12, 2021



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	S. Fich Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 13+16 day of 20+160, 30+5.



WESTERN SURETY COMPANY

Relson

WESTERN SURETY COMPANY

aul T. Bruflat, Vice President

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.