

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

3

CONSTRUCTION ON STATE HIGHWAY IN
SACRAMENTO COUNTY NEAR GALT AT VARIOUS LOCATIONS FROM HERALD ROAD TO 0.2
MILE WEST OF CLAY STATION ROAD
In District 03 on Route 104

UNDER

Notice to Bidders and Special Provisions dated April 7, 2014
Project plans approved March 10, 2014
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 03-4M6604

03-Sac-104-3.7/8.5

Project ID 0312000303

Bids open Wednesday, May 7, 2014

Dated April 7, 2014

AADD

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 03-4M6604 Project ID: 0312000303
Bidder: VC0000013893 - Midstate Barrier, Inc.

Name of Bidder: Midstate Barrier, Inc.
Business Street Address: PO Box 30550
Business P.O. Box:
City, State, Zip: Stockton, CA, 95213
Telephone Number: 209-944-9565
Fax Number: 209-944-9569
Contractor License Number: 529261

STATE OF CALIFORNIA ♦ DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non♦plant establishment work within the number of working days bid for non♦plant establishment work.

2. Bidder has and acknowledges the following addenda:0
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

By: Clark D. Ebinger Title: President
Bidder ID VC0000013893 Checksum E1A9A2E9

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 03-4M6604

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Bidder: VC0000013893 - Midstate Barrier, Inc.

Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total	
					Dollars	Cts	Dollars	Cts
Section 1 BID ITEM LIST								
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM		LUMP SUM			1,500.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM		LUMP SUM			3,500.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM		LUMP SUM			35,000.00
4	120165	CHANNELIZER (SURFACE MOUNTED)	EA	48.0		32.00		1,536.00
5	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM		LUMP SUM			3,000.00
6	129000	TEMPORARY RAILING (TYPE K)	LF	1,200.0		15.00		18,000.00
7	129100	TEMPORARY CRASH CUSHION MODULE	EA	120.0		125.00		15,000.00
8	130100	JOB SITE MANAGEMENT	LUMP SUM		LUMP SUM			2,000.00
9	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM		LUMP SUM			1,300.00

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total	
					Dollars	Cts	Dollars	Cts
10	130900	TEMPORARY CONCRETE WASHOUT		LUMP SUM		LUMP SUM		500.00
11	141120	TREATED WOOD WASTE		4,930.0		0.05		246.50
				LB				
12	150661	REMOVE GUARDRAIL		1,620.0		5.00		8,100.00
				LF				
13	027194	RESET HIGHWAY POST MARKER		1.0		200.00		200.00
				EA				
14	160102	CLEARING AND GRUBBING (LS)		LUMP SUM		LUMP SUM		5,000.00
15(F)	510502	MINOR CONCRETE (MINOR STRUCTURE)		15.0		2,800.00		42,000.00
				CY				
16	820107	DELINEATOR (CLASS 1)		5.0		15.00		75.00
				EA				
17	820151	OBJECT MARKER (TYPE L-1)		1.0		35.00		35.00
				EA				
18	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)		500.0		32.00		16,000.00
				LF				
19	027195	VEGETATION CONTROL (ASPHALT COMPOSITE)		790.0		53.00		41,870.00
				SQYD				

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total		
					Dollars	Cts	Dollars	Cts	
20	839543	TRANSITION RAILING (TYPE WB-31)	EA	14.0	3,400.00		47,600.00		
21	027196	END CAP (3/4 WRAP END SECTION)	EA	1.0	100.00		100.00		
22	839581	END ANCHOR ASSEMBLY (TYPE SFT)	EA	1.0	650.00		650.00		
23	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	17.0	2,800.00		47,600.00		
24	027197	ALTERNATIVE CRASH CUSHION	EA	2.0	24,300.00		48,600.00		
Section 1 Total								339,412.50	
Total Bid								339,412.50	

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-OE-0102.2 (REV 3/2011)

Bidder Name: MIDSTATE BARRIER, INC.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
COOL ROOFING MANTECA, CA	19	95%	VEGETATION CONTROL(ASPHALT COMPOSITE)
FARWEST SAFETY LODI, CA	2 4 6 7	100% 100% 11% 100%	CONST. AREA SIGNS CHANNELIZER TEMP. K-RAIL TEMP. CRASH CUSHION MODULE
SAMBRANO TRAFFIC CONTROL	3	86%	TRAFFIC CONTROL SYSTEM

MIDSTATE BARRIER, INC.

P.O. Box 30550
Stockton, CA 95213-0550
Office- 209-944-9565 Fax- 209-944-9569
License No. 529261

FAX COVER SHEET

Send To:	<u>Caltrans</u>	From:	<u>Dan Nicholas</u>
		Office #	<u>209-944-9565 X-208</u>
Attn:		Fax #	<u>209-944-9569</u>
			<u>dnicholas@midstatebarrier.com</u>
Fax:	<u>916-227-6282</u>	Pages:	<u>2</u>
Phone:		Date:	<u>05/07/14</u>

Re: SUBCONTRACTOR LIST FOR CONTRACT NO. 03-4M6604

Thank You,
Dan Nicholas

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 03-4M6604

Project ID: 0312000303

Bidder: VC0000013893 - Midstate Barrier, Inc.

SUBCONTRACTOR LIST

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code ♦ 4100 et seq.). Complete business name, location, and description of subcontracted work and submit with the bid. Complete bid item numbers and percentage of bid item subcontracted and submit with the bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all areas within the time specified will result in a nonresponsive bid.

List this sub? Yes

1) Business Name:COOL ROOFING
City:MANTECA State:CA

Description of Subcontracted Work:

VEGETATION CONTROL ASPHALT COMPOSITE

Bid Item Numbers:

19

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

2) Business Name:FARWEST SAFETY
City:LODI State:CA

Description of Subcontracted Work:

CONST. AREA SIGNS, CHANNELIZERS,K-RAIL, TEMP CRASH CUSHION

Bid Item Numbers:

2,4,6,7

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

3) Business Name: SAMBRANO TRAFFIC CONTROL
City: WILTON State: CA

Description of Subcontracted Work:

TRAFFIC CONTROL

Bid Item Numbers:

3

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 03-4M6604

Project ID: 0312000303

Bidder: VC0000013893 - Midstate Barrier, Inc.

REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

COMPLETE ONE OF THE FOLLOWING:

*Small Business Preference

The undersigned small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs ♦ 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date.

Example: mm/dd/yyyy

Date: Certification Number:

*Non-Small Business Preference

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs ♦ 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Example: mm/dd/yyyy

Date: 05/07/14

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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Bidder: VC0000013893 - Midstate Barrier, Inc.

CALIFORNIA COMPANY PREFERENCE

This form must be completed by all bidders. Failure of a non-California company to submit this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to submit this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code ♦ 6107 and meets one of the following (enter requested information):

1. I am a California company which has its principal place of business in California.

or

2. I a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State:

or

3. I a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State:

California Sales or Use Tax No.:

or

The undersigned certifies that it is not a "California company."

4. I a California company.

My principal place of business is in:

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Submit additional sheets if necessary.)

Describe:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID BOOK

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OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index fluctuations

Date: Name:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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CERTIFICATIONS

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code ♦ 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of CA County of :San Joaquin

Name: Clark D. Ebinger,

being first duly sworn, deposes and says that he or she is

Company Title: President of

Company Name: Midstate Barrier, Inc.

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
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CERTIFICATIONS (continued)

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ♦ 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
 2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.
-

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ♦ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ♦ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation? No

If the answer is yes, explain the circumstances in the following space.

Explanation:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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CERTIFICATIONS (continued)

ANTITRUST LAW

Under Pub Con Code ♦ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code ♦ 1101, with any public entity, as defined in Pub Cont Code ♦ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

Explanation:

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD
RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
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CERTIFICATIONS (continued)

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

No

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?

No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

No

4. If the answer is to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

Explanation:

END CERTIFICATIONS

BIDDER'S BOND
State of California - Department of Transportation

Contract No. 03-4M6604

Bond No. _____

We _____

_____ as Principal, and

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for CONSTRUCTION ON STATE HIGHWAY IN SACRAMENTO COUNTY NEAR GALT AT VARIOUS LOCATIONS FROM HERALD ROAD TO 0.2 MILE WEST OF CLAY STATION ROAD In District 03 on Route 104 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 05-07-14.

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: _____, 20____.

Principal: _____

Surety: _____

By: _____

Attorney-in-Fact

Correspondence or claims relating to this bond should be sent to the surety at the following address:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of _____

On this _____ before me, _____

Date

Here insert Name and Title of Officer

personally appeared _____

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE _____

Signature of Notary Public

(SEAL)

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Bond No. N/A

We Midstate Barrier, Inc.

P.O. Box 30550, Stockton, CA 95213

as Principal, and

WESTERN SURETY COMPANY, 1455 FRAZEE RD., SUITE 801, SAN DIEGO, CA 92130

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for REPLACE GUARDRAILING - CONSTRUCTION ON STATE HIGHWAY IN SAC COUNTY NEAR GALT AT VARIOUS LOC. FROM HERALD RD. TO 0.2 MILE WEST OF CLAY STATION
(Copy here the exact description of work, including location, as it appears on the proposal)

for which bids are to be opened at 1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816 ROAD
(Insert place where bids will be opened)

on MAY 7, 2014
(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: APRIL 29th, 20 14

Correspondence or claims relating to this bond should be sent to the surety at the following address:
1455 FRAZEE RD., SUITE 801
SAN DIEGO, CA 92130

Midstate Barrier, Inc.
Clark D. Ebinger, President
WESTERN SURETY COMPANY
By D.J. Picard, Attorney-in-Fact, D.J. PICARD
Principal
Surety

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

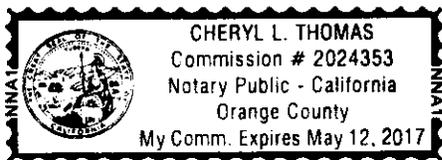
County of ORANGE

On this APRIL 29, 2014 before me, CHERYL L. THOMAS, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared D.J. PICARD
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~they executed the same in his/~~her~~their authorized capacity(ies), and that by his/~~her~~their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Signature Cheryl L. Thomas
CHERYL L. THOMAS Signature of Notary Public

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

Todd M Rohm, D J Picard, Beata A Sensi, Cathy S Kennedy, Cheryl L Thomas, Individually

of Orange, CA, 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 19th day of October, 2012.



WESTERN SURETY COMPANY

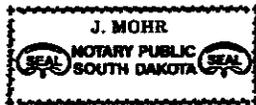
Paul T. Bruffat

Paul T. Bruffat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 19th day of October, 2012, before me personally came Paul T. Bruffat, 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
June 23, 2015



J. Mohr

J. Mohr, 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 29th day of APRIL, 2014.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

