

# BID PROPOSAL

TO: **CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT**, a California Community College District, acting by and through its Board of Trustees ("the District").

FROM: Beals Martin and Associates, Inc.  
(Name of Bidder)  
2596 Bay Road  
(Address)  
Redwood City, CA 94063  
(City, State, Zip Code)  
650-364-8141 p 650-367-7645 f  
(Telephone/Fax)  
brandon@bealsmartin.com  
(E-Mail Address of Bidder's Representative(s))  
Dwight A. Ortmann Brandon A. Ortmann  
(Name(s) of Bidder's Authorized Representative(s))

## 1. Bid Proposal


1.	Base Bid	\$ <u>8,148,902</u>
2.	Owner's Non-Specified Allowance	\$275,000.00
3.	Total Bid Amount (Sum of Line 1 + 2)	\$ <u>8,423,902</u>

**1.1 Bid Proposal Amount.** The undersigned Bidder proposes and agrees to perform the Contract including, without limitation, providing and furnishing any and all of the labor, materials, tools, equipment and services necessary to complete in a workmanlike manner all of the Work and other obligations required by the Contract Documents for the sum of Eight million four hundred twenty three thousand nine hundred two Dollars (\$ 8,423,902 ) (Line 4 of Table above). The Bidder confirms that it has checked all of the above figures and understands that neither the District nor any of its agents, employees or representatives shall be responsible for any errors or omissions on the part of the undersigned Bidder in preparing and submitting this Bid Proposal. The Bidder confirms that the bid proposal includes the Owner's Non-Specified Allowance in the amount of Two Hundred Seventy-Five Thousand Dollars and No Cents (\$275,000.00).

**1.2 Owner's Non-Specified Allowance.** Bidder shall include in Bid Proposal the stipulated sum of Two Hundred Seventy-Five Thousand and No Cents (\$275,000.00) for non-specified work to be performed ONLY at the determination and direction of the District. Work performed at the determination and direction of the District under this Allowance shall be documented by Contractor and submitted to Construction Manager per the

requirements specified in Article 9 of the General Conditions. Contractor shall include a separate line item in Contractor's Schedule of Values as "Allowance" with the value of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00). At closeout of Contract, any funds remaining in the Allowance shall be credited to Owner through a Change Order.

- 1.3 Acknowledgment of Bid Addenda.** The Bidder confirms that this Bid Proposal incorporates and is inclusive of, all items or other matters contained in Bid Addenda issued by or on behalf of the District.

 **Addenda Nos. 1, 2, 3, 4** received, acknowledged and incorporated into this Bid Proposal.

- 2. Documents Accompanying Bid.** The Bidder has submitted with this Bid Proposal the following: (a) Bid Security; (b) Subcontractors List; (c) Statement of Qualifications; (d) Certification of Pre-Bid Site Visit; (e) Non-Collusion Affidavit; and (f) Public Works Contractor Registration Certification Form. The Bidder acknowledges that if this Bid Proposal and the foregoing documents are not fully in compliance with applicable requirements set forth in the Call for Bids, the Instructions for Bidders and in each of the foregoing documents, the Bid Proposal may be rejected as non-responsive.
- 3. Award of Contract.** If the Bidder submitting this Bid Proposal is awarded the Contract, the undersigned will execute and deliver to the District the Contract in the form attached hereto within ten (10) days after notification of award of the Contract. Concurrently with delivery of the executed Agreement to the District, the Bidder awarded the Contract shall deliver to the District: (a) Certificates of Insurance evidencing all insurance coverages required under the Contract Documents; (b) the Performance Bond; (c) the Labor and Material Payment Bond; (d) the Certificate of Workers' Compensation Insurance; and (e) the Drug-Free Workplace Certificate. Failure of the Bidder awarded the Contract to strictly comply with the preceding may result in the District's rescission of the award of the Contract and/or forfeiture of the Bidder's Bid Security. In such event, the District may, in its sole and exclusive discretion elect to award the Contract to the responsible Bidder submitting the next lowest Bid Proposal, or to reject all Bid Proposals.
- 4. Contractor's License.** The undersigned Bidder is currently and duly licensed in accordance with the California Contractors License Law, California Business & Professions Code §§7000 et seq., under the following classification(s) A, B bearing License Number(s) 396189, with expiration date(s) of 11/30/21. The Bidder certifies that: (a) it is duly licensed, in the necessary class(es), for performing the Work of the Contract Documents; (b) that such license shall be in full force and effect throughout the duration of the performance of the Work under the Contract Documents; and (c) that all Subcontractors providing or performing any portion of the Work shall be so properly licensed to perform or provide such portion of the Work.
- 5. Acknowledgment and Confirmation.** The undersigned Bidder acknowledges its receipt, review and understanding of the Drawings, the Specifications and other Contract Documents pertaining to the proposed Work. The undersigned Bidder certifies that the Contract Documents are, in its opinion, adequate, feasible and complete for providing, performing and constructing the Work in a sound and suitable manner for the use specified and intended by the Contract Documents. The undersigned Bidder certifies that it has, or has available, all necessary equipment, personnel, materials, facilities and technical and financial ability to complete the Work for the amount bid herein within the Contract Time and in accordance with the Contract Documents.

By: 

(Signature)

Dwight A. Ortman

(Typed or Printed Name)

(Corporate Seal)

Title: President

## SUBCONTRACTORS LIST

Bidder: BEALS MARTIN INC  
 Address: 2596 BAY ROAD, REDWOOD CITY CA 94063  
 Telephone: 650-364-8141  
 Fax: 650-367-7645  
 Bidder's Authorized Representative: DWIGHT A. ORTMANN

PROJECT: BID NO.: B22/23-02 Agriculture Science, Viticulture Project

NAME OF SUBCONTRACTOR	BUSINESS LOCATION/ ADDRESS OF SUBCONTRACTOR	TRADE OR PORTION OF THE WORK
Lone Star	San Martin 463280	LANDSCAPE
Barry's Backhoe Service	Tracy 323493	UNDERGROUND UTILITIES
Peck & Hillen (R)	Napa 109795	CONCRETE - Structural
Golden Gate Steel	Fowler 383036	STRUCTUTAL STEEL
B.T. Mancini	Sacramento 229210	STEEL DECKING
BK Mill	Newark 428941	CASEWORK
		<del>Insulation</del> (R)
Next Level Cladding	Spokane, WA 1066766	Metal Panels
Waterproofing Assoc.	Mountain View 649862	Membrane Roofing

PHOTOCOPY THIS PAGE AS NECESSARY TO LIST ADDITIONAL SUBCONTRACTORS

In accordance with Public Contract Code §4104, General Contractors submitting bids on California public projects should submit subcontractors license numbers with all bids. Pursuant to California Senate Bill 854, any subcontractor(s) who intend to bid on any public works project must be registered with the California's Department of Industrial Relations (DIR).

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**Address:** 2596 BAY ROAD, REDWOOD CITY CA 94063

**Telephone:** 650-364-8141

**Fax:** 650-367-7645

**Bidder's Authorized Representative:** DWIGHT A. ORTMANN

**PROJECT: BID NO.: B22/23-02 Agriculture Science, Viticulture Project**

NAME OF SUBCONTRACTOR	BUSINESS LOCATION/ ADDRESS OF SUBCONTRACTOR	TRADE OR PORTION OF THE WORK
Clune Glass	Fremont 4728048	Glass/Glazing
Spacetone	Pleasanton 397494	Gypsum
Dc Tile	Colfax 605586	Tile
T3	Fremont 805816	Acoustical Ceilings
Future Flooring	San Jose 780029	Flooring
Stonhard	Maple Shade, NJ 256840	Resinous Flooring
Monticelli Painting	Richmond 531537	Painting
R.W. Smith & Co.	San Diego 457555	Controlled Enviro. Rooms
ESI	Santa Clara 422478	Plumbing

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**PROJECT: BID NO.: B22/23-02 Agriculture Science, Viticulture Project**

NAME OF SUBCONTRACTOR	BUSINESS LOCATION/ ADDRESS OF SUBCONTRACTOR	TRADE OR PORTION OF THE WORK
ESI	Santa Clara 422470	HVAC
Del Monte	Dublin 161955	Electrical
Luminant Concrete	Pleasanton 868242	Site Concrete
Alcal	Fremont 815286	Overhead Doors

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**Bidder:** Beals Martin Inc.  
**Address:** 2596 Bay Road, Redwood City CA 94063  
**Telephone:** 650-364-8141  
**Fax:** 650-367-7645  
**Bidder's Authorized Representative:** Dwight A. Ortmann

**PROJECT: BID NO.: B22/23-02 Agriculture Science, Viticulture Project**

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### NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA )  
COUNTY OF San Mateo )

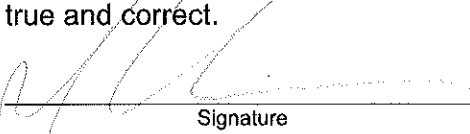
**PROJECT: BID NO.: B22/23-02 Agriculture Science, Viticulture Project**

I, Dwight A. Ortmann, being first duly sworn, deposes and says that I  
(Typed or Printed Name)  
am the President of Beals Martin Inc., the party  
(Title) (Bidder Name)  
submitting the foregoing Bid Proposal ("the Bidder"). In connection with the foregoing Bid Proposal, the undersigned declares, states and certifies that:

1. The Bid Proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization or corporation.
2. The Bid Proposal is genuine and not collusive or sham.
3. 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 other bidder or anyone else to put in sham bid, or to refrain from bidding.
4. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price, or that of any other bidder, or to fix any overhead, profit or cost element of the bid price or that of any other bidder, or to secure any advantage against the public body awarding the contract or of anyone interested in the proposed contract.
5. All statements contained in the Bid Proposal and related documents are true.
6. The bidder has not, directly or indirectly, submitted the 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 person, corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Executed this 12<sup>th</sup> day of September, 2022 at Redwood City, CA San Mateo  
(City, County and State)

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

  
Signature

2596 Bay Road  
(Address)

Dwight A. Ortmann  
Name Printed or Typed

Redwood City, San Mateo County, CA  
(City, County and State)

( 650 ) 364-8141  
(Area Code and Telephone Number)

# ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Mateo

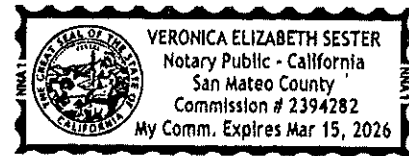
On SEP 12 2022 before me, Veronica Elizabeth Sester, Notary Public  
(insert name and title of the officer)

personally appeared Dwight A. Ortman  
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 Veronica Sester (Seal)



## CERTIFICATION OF PRE-BID SITE VISIT

The Honorable Board of Trustees  
Chabot-Las Positas Community College District  
7600 Dublin Blvd., 3<sup>rd</sup> Floor  
Dublin, California 94568

**RE: BID NO.: B22/23-02 Agriculture Science, Viticulture Project**

Ladies and Gentlemen:

In connection with submitting a Bid Proposal for the Work described as BID NO.: B22/23-02 Agriculture Science, Viticulture Project, I visited the Site of the Work on Thursday, August 18, 2022, at 10:00am

on behalf of Beals Martin and Associates, Inc.

Bidder Name


to inspect the Site of the proposed work, which will be turned over to the Bidder, if awarded the Contract, in its present condition, with a representative of the Chabot-Las Positas Community College, in order to acquaint the Bidder with the proposed Work so that the Bidder fully understands the facilities, difficulties, and restrictions attendant to execution and completion of the Work. I have also reviewed on behalf of the Bidder, the as-built drawings and/or previous Contract Documents, site conditions and Bid Documents with District representatives and/or Construction Manager for the Project.

I certify all conditions provided for my review and their effect on the Work as called for in the Contract Documents are included and accounted for in the Bid Proposal amounts submitted to the District.

I understand that a Bidder who fails to submit this Certification of Pre-Bid Site Visit, fully executed, with the Bidder's Bid Proposal form, will result in rejection of the Bid Proposal for non-responsiveness.

Brandon A. Ortmann EVP

Name of Bidder



Authorized Signatory

2596 Bay Road

Address

Redwood City

CA, 94063

650-364-8141

Phone Number

8/19/22

Date

# CERTIFICATION OF ATTENDANCE PRE-BID CONFERENCE

The Honorable Board of Trustees  
Chabot-Las Positas Community College District 7600  
Dublin Blvd., 3<sup>rd</sup> Floor  
Dublin, California 94568

**RE: IFB B22/23-02 Agriculture Science, Viticulture Project at Las Positas College**

Ladies and Gentlemen:

In connection with submitting a Bid Proposal for the Work described as **IFB B22/23-02 Agriculture Science, Viticulture Project at Las Positas College**, I visited the Site of the Work on Thursday, August 18, 2022, at Las Positas College, 3000 Campus Hill Drive, Livermore, California 94551 on behalf of:

BEALS MARTIN INC.

Vendor / Bidder Company Name

to inspect the Site of the proposed work, which will be turned over to the Bidder, if awarded the Contract, in its present condition, with a representative of the Chabot-Las Positas Community College, in order to acquaint the Bidder with the proposed Work so that the Bidder fully understands the facilities, difficulties, and restrictions attendant to execution and completion of the Work. I have also reviewed on behalf of the Bidder, the as-built drawings and/or previous Contract Documents, site conditions and Bid Documents with District representatives and/or Contract Manager at Las Positas College.

I certify all conditions provided for my review and their effect on the Work as called for in the Contract Documents are included and accounted for in the Bid Proposal amounts submitted to the District.

I understand that a Bidder who fails to submit this Certification of Pre-Bid Site Visit, fully executed, with the Bidder's Bid Proposal form, will result in rejection of the Bid Proposal for non-responsiveness.

BEALS MARTIN INC.  
Name of Company Bidding

[Signature]  
Authorized Signatory (Individual Attending)

2546 RM ROAD  
Address  
REDWOOD CITY CA 94063

650-364-8111  
Phone Number

8/18/22  
Date



Purchasing and Warehouse Services  
Representative Initials:

[Signature]

Date:

August 18, 2022

**PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION**  
(Attachment E to Special Conditions)

I, Dwight A. Ortmann, am the President of  
(Print Name) (Title)

Beals Martin and Associates, Inc.  
(Contractor Name)

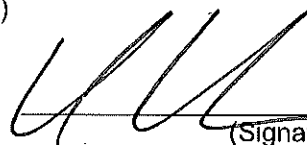
I declare, state and certify to all of the following:

1. I am aware of the provisions and requirements of California Senate Bill (SB) 854, the Public Works Contractor Registration Program.
2. I am authorized to certify, and do certify, on behalf of Contractor that an annual registration fee has been paid and I am registered as eligible to bid and work on public works projects by doing all of the following:
  - A. Must have workers' compensation coverage for any employees and only use subcontractors who are glistered public works contractors;
  - B. Must have Contractors State License Board license, if applicable to trade;
  - C. Must have no delinquent unpaid wage or penalty assessments owed to any employee or enforcement agency;
  - D. Must not be under federal or state debarment;
  - E. Must not be in prior violation of this registration requirement once it becomes effective on April 1, 2015.
3. Contractor and I understand that if the District determines that Contractor has either: (a) made a false certification herein, or (b) violated this certification by failing to carry out and to implement the requirements of the Department of Industrial Relations (DIR), the Contract awarded herein is subject to termination, suspension of payments, or both. Contractor and I further understand that, should Contractor violate the terms of the Public Works Contractor Registration Certification Law of California Senate Bill 854, Contractor may be subject to debarment in accordance with the provisions of California Labor Code §§1720, et seq.
4. Contractor and I acknowledge that Contractor and I are aware of the provisions of California Senate Bill 854 and hereby certify that Contractor and I will adhere to, fulfill, satisfy and discharge all provisions of and obligations under the Public Works Contractor Registration Program.

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

Executed at REDWOOD CITY, CA this 12<sup>th</sup> day of  
(City and State)

SEPTEMBER, 2022

  
(Signature)

Dwight A. Ortmann  
(Handwritten or Typed Name)

1000000570  
Department of Industrial Relations Registration #

# CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

**PROJECT: BID NO.: B22/23-02 Agriculture Science, Viticulture Project**

I, Dwight A. Ortmann the President of  
(Name) (Title)

Beals Martin Inc., declare, state and certify that:  
(Contractor Name)

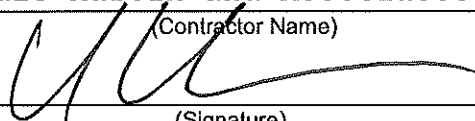
1. I am aware that California Labor Code §3700(a) and (b) provides:

“Every employer except the state shall secure the payment of compensation in one or more of the following ways:

- (a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this state.
- (b) By securing from the Director of Industrial Relations a certificate of consent to self-insure either as an individual employer, or one employer in a group of employers, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his or her employees.”

2. I am aware that the provisions of California Labor Code §3700 require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of this Contract.

Beals Martin and Associates, Inc.  
(Contractor Name)

By:   
(Signature)

Dwight A. Ortmann  
(Typed or printed name)



Friday, August 12, 2022

Good afternoon,

As you have been previously notified, your company participated in the RFQ No.: B21/22-15 Pre-Qualification GC, MEP's Las Positas College (LPC) Agriculture Science Viticulture Facility Project and was prequalified to move forward in the process.

The following vendors were notified of their pre-qualification status:

**General Contractors**

BHM Construction Inc. Napa, CA  
Beals Martin Redwood City, CA  
Lathrop Construction Benicia, CA  
Rodan Builders, Inc. Hayward, CA

**MEP's**

ACCO Engineered Systems San Francisco, CA  
Con J Franke Electric Stockton, CA  
Smith & Sons Electric, Inc. Fremont, CA  
Smith Mechanical-Electrical-Plumbing Santa Maria, CA

At this time, the Chabot-Las Positas Community College District would like to invite you to participate in the **Invitation to Approved General Contractors, for Bid No.: B22/23-02 Agriculture Science, Viticulture Project at Las Positas College.**

Bid documents and Drawings are available via this the OneDrive Link: [Bid No. B22-23-02 Agriculture Science, Viticulture Project at Las Positas College](#)

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Chabot-Las Positas Community College District, State of California, hereby calls for the Invitation to Approved General Contractors, for **Bid No. B22/23-02 Agriculture Science, Viticulture Project at Las Positas College**; to be delivered to the District Office, Purchasing & Warehouse Services Department at 7600 Dublin Blvd., 3rd Floor, Dublin, California 94568 by **Wednesday, September 28, 2022 at 2:00 p.m.** Faxed or emailed proposals will not be accepted. Bidders are solely responsible for timely submission of Bid Proposals to the District at the place designated in the Call for Bids.

Inquiries regarding this proposal should be directed to the office of Purchasing and Warehouse Services, Manager, Marie Hampton, email at [mhampton@clpccd.org](mailto:mhampton@clpccd.org) and copied to Michael McClung, Bond Program Buyer, email at [mmcclung@clpccd.org](mailto:mmcclung@clpccd.org). Reference "**Bid No.: B22/23-02 Agriculture Science, Viticulture Project at Las Positas College**" on all inquiries.

The Board of Trustees reserves the right to reject any and all proposals and any and all items of such proposals. For more information, please refer to the Facilities Measure B and Measure A Programs Website.

On Behalf of Marie Hampton  
Manager of CLPCCD Purchasing and Warehouse Services

Michael McClung, Buyer  
Purchasing & Warehouse Services  
Chabot-Las Positas Community College District  
7600 Dublin Blvd., 3<sup>rd</sup> Floor  
Dublin, CA 94568  
Phone: (925)-485-5205  
Fax: (925)-485-5271  
[mmcclung@clpccd.org](mailto:mmcclung@clpccd.org)

**CHABOT-LAS POSITAS  
COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES**

Genevieve Randolph, President  
Linda Granger, Secretary  
Hal G. Gin Ed.D.  
Maria L. Heredia  
Edralin J. "Ed" Maduli  
Luis Reynoso  
Tim Sbranti

7600 Dublin Blvd., 3<sup>rd</sup> Floor  
Dublin, CA 94568  
Tel: 925-485-5207  
Fax: 925-485-5256  
[www.clpccd.org](http://www.clpccd.org)

## BID BOND

**KNOW ALL MEN BY THESE PRESENTS** that we, Fidelity and Deposit Company of Maryland, as Surety and Beals Martin and Associates, Inc., as Principal, are jointly and severally, along with their respective heirs, executors, administrators, successors and assigns, held and firmly bound unto **CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT**, hereinafter "the Obligee," for payment of the penal sum hereof in lawful money of the United States, as more particularly set forth herein.

### THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

**WHEREAS**, the Principal has submitted the accompanying Bid Proposal to the Obligee for the Work commonly described as the **BID NO.: B22/23-02 Agriculture Science, Viticulture Project**,

**WHEREAS**, subject to the terms of this Bond, the Surety is firmly bound unto the Obligee in the penal sum of **ten percent (10%)** of the maximum amount of the Bid Proposal submitted by the Principal to the Obligee, as set forth above.

**NOW THEREFORE**, if the Principal shall not withdraw said Bid Proposal within the period specified therein after the opening of the same, or, if no period be specified, for sixty (60) days after opening of said Bid Proposal; and if the Principal is awarded the Contract, and shall within the period specified therefor, or if no period be specified, within five (5) days after the prescribed forms are presented to him for signature, enter into a written contract with the Obligee, in accordance with the Bid Proposal as accepted and give such bond(s) with good and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such Contract and for the payment for labor and materials used for the performance of the Contract, or in the event of the withdrawal of said Bid Proposal within the period specified for the holding open of the Bid Proposal or the failure of the Principal to enter into such Contract and give such bonds within the time specified, if the Principal shall pay the Obligee the difference between the amount specified in said Bid Proposal and the amount for which the Obligee may procure the required Work and/or supplies, if the latter amount be in excess of the former, together with all costs incurred by the Obligee in again calling for Bids, then the above obligation shall be void and of no effect, otherwise to remain in full force and effect.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or the Call for Bids, the Work to be performed thereunder, the Drawings or the Specifications accompanying the same, or any other portion of the Contract Documents shall in no way affect its obligations under this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of said Contract, the Call for Bids, the Work, the Drawings or the Specifications, or any other portion of the Contract Documents.

In the event suit or other proceeding is brought upon this Bond by the Obligee, the Surety shall pay to the Obligee all costs, expenses and fees incurred by the Obligee in connection therewith, including without limitation, attorney's fees.



IN WITNESS WHEREOF, the Principal and Surety have executed this instrument this 9th day of September, 2022 by their duly authorized agents or representatives.

(Principal's Corporate Seal)

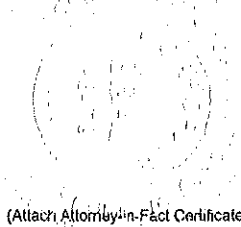
Beals Martin and Associates, Inc.  
(Principal Name)

By: [Signature]  
(Signature of Principal)

DWIGHT DITMARR  
(Typed or Printed Name)

Title: President

(Surety's Corporate Seal)



(Attach Attorney-in-Fact Certificate)

Fidelity and Deposit Company of Maryland  
(Surety Name)

By: [Signature]  
(Signature of Surety)

Karen Rhodes, Attorney-in-Fact  
(Typed or Printed Name)

( 415 ) 878-2490  
(Area Code and Telephone Number of Attorney-in-Fact for Surety)

Contact name, address, telephone number and email address for notices to the Surety

Samantha Mascarenhas  
(Contact Name)

525 Market St. Suite 2900 San Francisco, CA 94105  
(Address)

(415) 538-7100  
(Telephone)

s.mascarenhas@zurichna.com  
(Email address)

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Mateo

On SEP 12 2022 before me, Veronica Elizabeth Sester, Notary Public  
(insert name and title of the officer)

personally appeared Dwight A. Ortman,  
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.

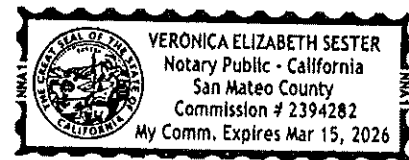
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

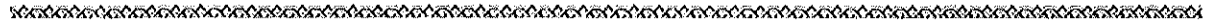
Veronica Sester

(Seal)



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**



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State of California )

County of Marin )

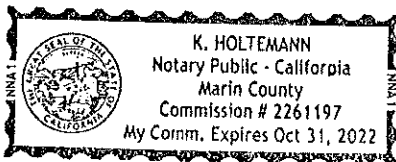
On Sept 9, 2022 before me, K. Holtemann, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Karen Rhodes  
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 K. Holte  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

Corporate Officer -- Title(s): \_\_\_\_\_  Corporate Officer -- Title(s): \_\_\_\_\_

Partner --  Limited  General  Partner --  Limited  General

Individual  Attorney in Fact  Individual  Attorney in Fact

Trustee  Guardian or Conservator  Trustee  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

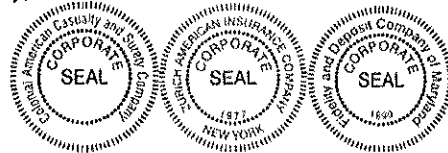


**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

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 Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, 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 Valerie TAKEUCHI, Patrick R. DIEBEL, Charles R. SHOEMAKER, Mark M.MUNEKAWA, Alicia DASS, Peter TAM, Nerissa S. BARTOLOME, Yvonne RONCAGLILOLO, Andrew S. HOLLOWAY, Christina PARSONS, Kelly HOLTEMANN, Joan DELUCA, Thomas E. HUGHES, Karen RHODES of **San Francisco, California**, 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 05th day of May, A.D. 2022.



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

By: *Robert D. Murray*  
Vice President

By: *Dawn E. Brown*  
Secretary

**State of Maryland  
County of Baltimore**

On this 05th day of May, A.D. 2022, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, 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.



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023

**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 9th day of September, 2022.



*MJ Pethick*

By: Mary Jean Pethick  
Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
Ph: 800-626-4577

If your jurisdiction allows for electronic reporting of surety claims, please submit to:  
[reportsfclains@zurichna.com](mailto:reportsfclains@zurichna.com)

**Authenticity of this bond can be confirmed at [bondvalidator.zurichna.com](http://bondvalidator.zurichna.com) or 410-559-8790**