

SAPULPA MUNICIPAL AUTHORITY MEETING

CITY HALL - 425 EAST DEWEY AVENUE

COUNCIL CHAMBERS, 2ND FLOOR

7:00 P.M., MONDAY, MAY 7, 2018

MEETING PROCEDURE: Comments from the public are welcome at two different times during the course of the meeting. A Sign in Sheet is located at the back of the room. Those wishing to address the Municipal Authority are to sign in prior to the start of the meeting and identify the item(s) they wish to address. Comments concerning items scheduled on the Agenda will be heard immediately following the presentation by staff or petitioner and Comments concerning items not scheduled on the Agenda will only be heard under the Public Comments section. The Municipal Authority will act on an Item after all comments have been heard.

PLEASE COME TO THE PODIUM WHEN THE CHAIRMAN CALLS YOUR NAME

- AGENDA -

1. **CALL TO ORDER.**
2. **ROLL CALL.**
3. **MINUTES.**
 - A. Consider approving April 16, 2018, minutes of the Regular Municipal Authority meeting.
4. **APPOINTMENTS, AWARDS, PRESENTATIONS, AND PROCLAMATIONS.**
5. **CONSENT ITEMS:** All matters under “Consent” are considered by the Municipal Authority to be routine and will be enacted by one motion. Any Municipal Authority Trustee may, however, remove an item from consent by request.
 - A. Consider approving Claims in the amount of \$550,679.73.
(Refer to: Purchase Order Claim Register with City Agenda)
6. **PUBLIC HEARINGS.**

7. **ADMINISTRATION.**

- A. Discussion and possible action regarding close-out of the Dewey Avenue Connection wastewater line project with B&B Utility, LC, and payment of the final pay request in the amount of \$11,562.30. This also includes the approval of one change order due resulting in a \$175.25 increase in the project cost. The total project cost (less liquidated damages) is \$50,983.03. This includes the approval of all close out documents; establishing the warranty date effective March 24, 2018 through March 23, 2019.

8. **NEW BUSINESS.**

9. **INFORMATIONAL ITEMS FROM CHAIRMAN, BOARD OF TRUSTEES, TRUST MANAGER, OR TRUST ATTORNEY.**

10. **PUBLIC COMMENTS:** The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the Municipal Authority on any subject not scheduled on the Regular Agenda. The Municipal Authority shall make no decision or action, except to direct the Trust Manager to take action, or to schedule the matter for Municipal Authority discussion at a later date.

Please come to the podium when the Chairman calls your name and keep your comments as brief as possible.

11. **ADJOURNMENT.**

Posted this _____ day of _____, 2018 at or before 5:00 p.m., at the Sapulpa City Hall, 425 East Dewey, Sapulpa, Oklahoma.

Name: *Anna Jo Fife*

Title: *Administrative Assistant*



AGENDA ITEM

Municipal Authority Regular

3.A.

Meeting Date: May 7, 2018

Submitted By: Shirley Burzio, City Clerk

Department: City Clerk

Presented By:

SUBJECT:

Consider approving April 16, 2018, minutes of the Regular Municipal Authority meeting.

BACKGROUND:

RECOMMENDATION:

Attachments

minutes.04-16-2018 sma

DRAFT

SAPULPA MUNICIPAL AUTHORITY
TRUST PROCEEDINGS
Meeting of April 16, 2018

The Board of Trustees of the Sapulpa Municipal Trust Authority met in regular session Monday, April 16, 2018, at 7:00 o'clock P.M. in the City Hall Council Chambers, 425 East Dewey Avenue, Sapulpa, Oklahoma.

Present: Chairman Reg Green
Vice-Chairman Louis Martin
Trustee John Anderson
Trustee Marty Cummins
Trustee Wes Galloway
Trustee Craig Henderson
Trustee Alan Jones
Trustee Hugo Naifeh
Trustee Charles Stephens
Trustee Carla Stinnett

Staff Present: Joan Riley, Trust Manager; Rick Rumsey, Assistant Trust Manager; Pam Vann, Trust Treasurer; David Widdoes, Trust Attorney; Shirley Burzio, Secretary

1. MINUTES, CONSENT ITEMS AND ADMINISTRATION.

Motion was made by Vice-Chairman Louis Martin, seconded by Trustee Hugo Naifeh, to approve the following items of business:

- A.** Consider approving minutes of the April 2, 2018, regular municipal authority meeting.
- B.** Approve claims in the amount of \$350,343.57;
- C.** Approve the agreement for Geotechnical Engineering Services with Kleinfelder, Inc., for borings to determine the ground composition at the site of the new one-way surge tank to the Skiatook Raw Water Conveyance System (SRWCS) in a shared total amount of \$6,300.00, of which the City of Sapulpa is obligated for \$2,520.00.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Niafhe, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

2. **INFORMATIONAL ITEMS FROM CHAIRMAN, BOARD OF TRUSTEES, TRUST MANAGER, OR TRUST ATTORNEY.**

- A. A status report from Tetra Tech, Inc., regarding various City and SMA projects was presented for review and discussion. No action was taken by the board.

3. **PUBLIC COMMENTS:**

There were no comments made to the board.

4. **ADJOURNMENT.**

There being no further business to consider, the meeting adjourned.

Chairman

Attest:

Secretary



Consent Agenda 5.A.

Municipal Authority Regular

Meeting Date: May 7, 2018

Submitted For: Amber Fisher, Accounts Payable Clerk

Submitted By: Amber Fisher, Accounts Payable Clerk

SUBJECT:

Consider approving Claims in the amount of \$550,679.73.
(Refer to: Purchase Order Claim Register with City Agenda)



AGENDA ITEM

Administration 7.A.

Municipal Authority Regular

Meeting Date: May 7, 2018

Submitted By: Anna Jo Fife, City Manager Assistant

Department: City Manager

Presented By: Rick Rumsey

SUBJECT:

Discussion and possible action regarding close-out of the Dewey Avenue Connection wastewater line project with B&B Utility, LC, and payment of the final pay request in the amount of \$11,562.30. This also includes the approval of one change order due resulting in a \$175.25 increase in the project cost. The total project cost (less liquidated damages) is \$50,983.03. This includes the approval of all close out documents; establishing the warranty date effective March 24, 2018 through March 23, 2019.

BACKGROUND:

This project was for the replacement of the wastewater line from East Dewey Avenue to East Lee Avenue in the alleyway between Oak Street and the County Courthouse. All items of the project have been completed and inspected and the City's Engineer is recommending close-out of the project. The total cost of the project (less liquidated damages) is \$50,983.03. Staff concurs with the recommendation to close the project, approve change order, fund the final payment of \$11,562.30, and establishment of one (1) year warranty date commencing on March 24, 2018.

RECOMMENDATION:

Staff recommends closeout of this project as stated.

Fiscal Impact

Amount: \$11,562.30

To be paid from: Capital Improvement Fund

Account number: 45-546-405B

Attachments

TetraTech Letter

Application for Payment

Change Order No. 1

Contractors Final Release Affidavit

Surety Bond



TETRA TECH

April 19, 2018

City of Sapulpa
Mr. Rick Rumsey
425 E. Dewey
Sapulpa, OK 74067-1130

RE: SAPULPA MUNICIPAL AUTHORITY - DEWEY AVENUE CONNECTION

Dear Mr. Rumsey:

A final inspection was conducted Friday, March 23, 2018, on the above-referenced project, and no further punch list items were noted. The scheduled completion date for this work was December 28, 2017. Contractor finished work 85 days after the scheduled completion date. Per contract documents, Liquidated Damages are \$250.00 per day which is \$21,250.00 for the 85-days. At the request of the City of Sapulpa, we have applied liquidated damages in the amount of \$21,250.00 to the final pay estimate. To the best of our knowledge, this project has been constructed in accordance with the approved Contract Documents; therefore, Tetra Tech recommends acceptance of the improvements, and the warranty date starts March 24, 2018 and ends March 23, 2019.

Attached are five copies of Pay Estimate No. 3 (final) and five copies of the final quantity change order for review, approval, and payment. Each copy is marked for final distribution. Other closing documents included are the Consent to Surety for Final Payment, Lien Releases, the Contractor's Final Release Claims of Payment of Debts Affidavit, and one set of 11x17 record drawings.

Sincerely,

Tetra Tech, Inc.

Ryan Mittasch, P.E.
Project Manager

JB/lv

Xc: Ryan Mittasch, P.E., Project Manager

**TETRA TECH
CONSTRUCTION ADMINISTRATORS
FINAL INSPECTION REPORT**

Project Name & Location Dewey Avenue Connection, Sapulpa, OK
Project No. 200-11390-17001

Contract _____ Date Inspection Made March 23, 2018

Type of Work Sewer Contractor B&B Utility LC

Inspection Made By: SEE ATTACHED FINAL INSPECTION SIGN IN SHEET

1. Date Contractor Finished 3/23/19
2. Does work done conform to Plans and Specifications and/or approved Change Orders? Yes No
3. Has work been completed within time allowed? Yes No 85 DAY OVERRUN.
4. Have Final Estimate and supporting papers been prepared? Yes No
5. Character of work: Poor Fair Good Excellent
6. Do you recommend acceptance of work and release of the Contractor? Yes No
7. Do you recommend payment of Final Estimate? Yes No
8. Remarks: RECOMMEND FINAL PAYMENT, LESS LIQUIDATED DAMAGES.

Maintenance Period effective beginning March 24, 2018 and ending March 23, 2019.

Recommended for Acceptance:

 Project Manager Tetra Tech 4/9/18
Ryan Mittasche P.E. Title Company Date

Accepted:

Rick Rumsey City Manager Sapulpa Municipal Authority
Title Company

Oklahoma CA No. 2388
Expires 6/30/2019

APPLICATION AND CERTIFICATE FOR PAYMENT

TO (OWNER): Sapulpa Municipal Authority
 425 E. Dewey Ave.
 Sapulpa, Oklahoma 74066

PROJECT: Dewey Avenue Connection

APPLICATION NO.: Three (3) Final
 B & B Utility INVOICE NO.
 Page 1 of 3

FROM (CONTRACTOR): B & B Utility LC
~~PO-Box-666 RT 1 Box 429~~
 Nowata, OK 74048
 (918) 299-2400

PERIOD OF APPLICATION	
FROM:	1/2/18
TO:	3/23/18

DISTRIBUTION TO:
 Owner
 Engineer
 Contractor

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract, Continuation Sheet, Contractor's Schedule of Values, is attached.

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL		
Approved this month		
Number	Date Approved	
1		\$ 175.25
TOTALS	\$ 175.25	\$ 175.25
Net change by Change Directive	\$	\$ 175.25

- Original Contract Sum \$ 69,983.00
- Net change by Change Orders \$ 175.25
- Contract Sum To Date (Line 1 + 2) \$ 70,158.25
- Total Completed and Stored To Date \$ 70,158.25
 - Total Completed \$ 70,158.25
 - Total Stored \$
- Retainage: 5% of Total work completed and Stored Materials \$ 2,074.78
- Total Earned Plus Retainage (4-5) \$ 72,233.03
- Less Previous Certified For Payment To Contractor \$ 39,420.73
- Less Liquidated Damages \$ (21,250.00)
- CURRENT PAYMENT DUE TO CONTRACTOR \$ 11,562.30
- BALANCE TO FINISH \$
- (Line 3 less Line 6)

The undersigned Contractor states that to the best of the Contractor's knowledge, information and belief the Work covered by the Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is new data.



CONTRACTOR: B & B Utility LC
 By: *[Signature]*
 Jasso Blaino *[Signature]* Date: 4/9/18

State of OKLAHOMA County of: Tulsa
 Subscribed and sworn to before me this 9th day of April, 2018.
 My Commission Expires: 02-22-19

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based upon the on-site observations and the data accompanying the above application, the Engineer certifies to the Owner that the Work has progressed to the point indicating that to the best of his knowledge, information and belief, the quality of the Work is in accordance with the Contract Documents, and that the Contractor is entitled to payment of the AMOUNT CERTIFIED.

RECOMMENDED FOR PAYMENT

OWNER: Sapulpa Municipal Authority
 BY: *[Signature]*
 TITLE: *[Signature]*
 DATE: 4/9/18

RECOMMENDED FOR PAYMENT

AMOUNT CERTIFIED \$ 11,562.30
 ENGINEER: *[Signature]* Date: 4/9/18
 INSPECTOR: *[Signature]* Date: 4/9/18
 TITRA TECH
 BY: Ryan Millman, P.E.
 TITLE: Project Engineer
 DATE: 4/9/18

CONTRACTOR SCHEDULE OF VALUES

TO (OWNER):

Sapulpa Municipal Authority
 425 E. Dewey Ave.
 Sapulpa, Oklahoma 74066

PROJECT:

Dewey Avenue Connection

FROM (CONTRACTOR):

B & B Utility LC
 P.O. Box 268
 Nowata, OK 74048
 918-805-4824

APPLICATION NO.: Three (3) Final

B & B Utility INVOICE NO.

Page 2 of 3

PERIOD OF ESTIMATE

From: 1/22/2018
 To: 3/23/2018

Item	Description	CONTRACT ITEMS			WORK PERFORMED			To-Date Amount			
		Quantity	Unit Price	Amount	Previous Period Qty	Previous Period Amount	This Period Qty		This Period Amount		
1	Right-of-Way Clearing and Restoring	481	LF	\$ 1.50	\$ 721.50	261	\$ 391.50	228	\$ 342.00	100%	\$ 733.50
2	Excavation and Backfill, Unclassified	250	CY	\$ 35.00	\$ 8,750.00	135	\$ 4,725.00	133	\$ 4,655.00	100%	\$ 9,380.00
3	8" Ductile Iron Pipe AWWA C-151, CL 51	481	LF	\$ 79.00	\$ 37,999.00	261	\$ 20,619.00	228	\$ 18,012.00	100%	\$ 38,631.00
4	4' Dia. Manhole, Complete in Place	1	EA	\$ 2,500.00	\$ 2,500.00	1	\$ 2,500.00	0	\$ -	100%	\$ 2,500.00
5	4' Dia. Drop Manhole, Complete in Place	1	EA	\$ 3,000.00	\$ 3,000.00	1	\$ 3,000.00	0	\$ -	100%	\$ 3,000.00
6	Manhole, Complete in Place	1	EA	\$ 750.00	\$ 750.00	0	\$ 0.00	1	\$ 750.00	100%	\$ 750.00
7	Connection to Manhole	3	EA	\$ 100.00	\$ 300.00	1	\$ 100.00	1	\$ 100.00	100%	\$ 200.00
8	Remove and Replace Asphalt Pavement	163	SY	\$ 27.50	\$ 4,482.50	0	\$ 0.00	168	\$ 4,620.00	100%	\$ 4,620.00
9	Remove and Replace Concrete Sidewalk	160	SY	\$ 13.75	\$ 2,200.00	0	\$ 0.00	165	\$ 2,268.75	100%	\$ 2,268.75
10	Erosion Control	1	LS	\$ 100.00	\$ 100.00	0.54	\$ 54.00	0.46	\$ 46.00	100%	\$ 100.00
11	4" Ductile Iron Pipe Service Reconnection	3	EA	\$ 1,200.00	\$ 3,600.00	2	\$ 2,400.00	2	\$ 2,400.00	133%	\$ 4,800.00
12	Traffic Control	1	LS	\$ 1,000.00	\$ 1,000.00	0.54	\$ 540.00	0.46	\$ 460.00	100%	\$ 1,000.00
13	Video Pre-Inspection	481	LF	\$ 5.00	\$ 2,405.00	0	\$ 0.00	0	\$ -	0%	\$ -
14	Mobilization	1	LS	\$ 250.00	\$ 250.00	0.50	\$ 125.00	0.50	\$ 125.00	100%	\$ 250.00
15	Construction Staking	1	LS	\$ 600.00	\$ 600.00	0.54	\$ 324.00	0.46	\$ 276.00	100%	\$ 600.00
16	Photographic Documentation	1	LS	\$ 50.00	\$ 50.00	0	\$ 0.00	1	\$ 50.00	100%	\$ 50.00
17	Plug and Abandon Existing 8" Sewer Line	55	LF	\$ 5.00	\$ 275.00	0	\$ 0.00	55	\$ 275.00	100%	\$ 275.00
18	Removal of Existing 4' ID Manhole	1	EA	\$ 500.00	\$ 500.00	1	\$ 500.00	0	\$ -	100%	\$ 500.00
19	Removal of Existing Lamp Hole	1	EA	\$ 500.00	\$ 500.00	0	\$ 0.00	1	\$ 500.00	100%	\$ 500.00
TOTAL PROJECT					\$69,983.00		\$35,278.50		\$34,879.75		\$70,158.25

Tetra Tech
 7645 E. 63RD STREET, SUITE 301
 TULSA, OK 74133
 Oklahoma CA No. 2388 Expires 6/30/2019

CONTRACTOR CHANGE ORDER

Sheet 1 of 2

PROJECT: SAPULPA MUNICIPAL AUTHORITY DEWEY AVENUE CONNECTION
 SAPULPA, OK

CHANGE ORDER NO. 1

CONTRACTOR: B&B Utility LC
 P.O. Box 268
 Nowata, OK 74048

OWNER: SAPULPA MUNICIPAL AUTHORITY
 425 E DEWEY AVE
 SAPULPA, OK 74066

PROJECT NO.: 200-11390-17001
 DATE: March 29, 2018

You are hereby requested to comply with the following changes from the Contract Plans and Specifications:

C.O. NO.	BID ITEM NO.	DESCRIPTION OF CHANGES - Quantities, units, unit prices, change in completion schedule, etc.	DECREASE IN CONTRACT PRICE	INCREASE IN CONTRACT PRICE
1		Reconciliation of Final Quantities		\$175.25
Change in Contract price due to this Change Order				
Total decrease			\$0.00	
Total increase .2%				
Net increase in Contract price				\$175.25

JUSTIFICATION:

This change order reconciles final quantities measured in the field.

The sum of \$175.25 is hereby added to the Contract price of \$69,983.00 and the revised Contract price to date is \$70,158.25.

This document shall become an amendment to the Contract and all provisions of the Contract will apply hereto.

Approved by:

[Signature]
 Engineer - Tetra Tech, Inc.

4/9/18
 Date

Accepted by:

Richard L Blanke CO owner
 Contractor - B&B Utility LC

3-30-18
 Date

Approved by:

Owner - Sapulpa Municipal Authority

Date

**CONTRACTOR'S FINAL RELEASE CLAIMS OF
PAYMENT OF DEBTS AFFIDAVIT**

TO: Sapulpa Municipal Authority
425 E. Dewey
Sapulpa, OK 74066

DATE: March 29, 2018

CONTRACT FOR: Dewey Avenue Connection

The undersigned hereby acknowledges the receipt of Seventy thousand, One hundred fifty eight and 25 cents (\$70,158.25) in full payment of the Contract dated 4 November, 2017.

In addition, the undersigned, pursuant to the General Conditions of the Contract for construction, hereby certifies that, except as listed below or attached, he has paid in full or has otherwise satisfied all obligations for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the owner or his property might in any way be held responsible.

Final payment in the amount of \$ 11,562.30 upon receipt, will complete all payments required as compensation as identified above.

EXCEPTIONS: (If none, write "None." If required by the Owner, the Contractor shall furnish bond or other surety satisfaction to the Owner for each exception.)

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Consent of Surety to Final Payment: Whenever Surety is involved, Consent of Surety is required. Indicate attachment: (Yes) (No)
2. Separate Releases or Waivers of Lien from subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR: B&B Utility
~~P.O. Box 268 RT 1 Box 429 Nowata OK~~
Nowata, OK 74048

By: Rubert Blanke Title: CO OWNER

Subscribed and sworn to before me this 30TH day of MARCH, 2018

Notary Public: [Signature]

My Commission expires: 2/1/2019



RELEASE OR WAIVER OF LIEN

(To be provided by all subcontractors, vendors, & suppliers)

3.30, 2018

State of OK
County of TULSA

WHEREAS, the Undersigned has entered into a Contract with CITY OF SALLPA, to furnish labor and/or material for the project commonly known as DEWEY AVENUE CONNECTION

NOW THEREFORE, know ye that the undersigned for and in consideration of the monies to be paid pursuant to the above Contract, do hereby waive and release CITY OF SALLPA (Owner) and B+B UTILITY (Contractor), from any and all lien or claim or right of lien on said above described projects and premises.

Utility Supply Co
(Company)
By: [Signature]

SUBSCRIBED AND SWORN to before me this 30 day of March, 2018.

Christina Boyd
Notary Public
COM. NO. 1800817
NOTARY PUBLIC
STATE OF OKLAHOMA
EXP. 01/22/2022

My Commission expires January 22, 2022

RELEASE OR WAIVER OF LIEN

(To be provided by all subcontractors, vendors, & suppliers)

March 30, 2018

State of Oklahoma
County of Rogers

WHEREAS, the Undersigned has entered into a Contract with CITY OF SARKIA, to furnish labor and/or material for the project commonly known as DEWEY AVENUE CONNECTION

NOW THEREFORE, know ye that the undersigned for and in consideration of the monies to be paid pursuant to the above Contract, do hereby waive and release CITY OF SARKIA (Owner) and B+B UTILITY (Contractor), from any and all lien or claim or right of lien on said above described projects and premises.

GNC Concrete Products
(Company)

By: [Signature]

SUBSCRIBED AND SWORN to before me this 30th day of March, 2018
2018.

[Signature]
Notary Public

My Commission expires August 1, 2020.



RELEASE OR WAIVER OF LIEN

(To be provided by all subcontractors, vendors, & suppliers)

State of Arizona
County of Maricopa

WHEREAS, the undersigned has entered into a Contract with
CITY OF SAHUILA to furnish labor and/or material for the
project commonly known as **DEWEY AVENUE CONNECTION**

NOW THEREFORE, know ye that the undersigned for and in
consideration of the monies to be paid pursuant to the above
contract, do hereby waive and release **CITY OF SAHUILA** (Owner) and
B+B UTILITY (Contractor), from any and all lien or
claim or right of lien on said above described projects and
premises.

(Company)
Sunstate Equip.
By: Lynn Parson

SUBSCRIBED AND SWORN to before me this 10th day of April
2018

Notary Public

My Commission expires 11-1-19

Cater Wenstrom
Cater Wenstrom
Notary Public
Maricopa County, Arizona
My Comm. Expires 11-1-19

**CONSENT OF SURETY
TO FINAL PAYMENT**

AIA Document G707

(Instructions on reverse side)

BOND NO.: 714580P

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input checked="" type="checkbox"/>
SURETY	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

TO OWNER:

(Name and address)

City of Sapulpa
7645 E. 63rd Street, Suite 301
Tulsa, OK 74133

ARCHITECT'S PROJECT NO.:

CONTRACT FOR: \$69,983.00

PROJECT:

(Name and address)

Dewey Avenue Connection

CONTRACT DATED:

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(insert name and address of Surety)

Developers Surety and Indemnity Company
17771 Cowan, Suite 100, Irvine CA 92614

, SURETY,

on behalf of

(insert name and address of Contractor)

B&B Utility LC
P.O. Box 268, Nowata, OK 74048

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of
any of its obligations to

(insert name and address of Owner)

City of Sapulpa
7645 E. 63rd Street, Suite 301, Tulsa, OK 74133

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: April 2, 2018
(insert in writing the month followed by the numerical date and year)

Developers Surety and Indemnity Company

(Surety)

By:

(signature of authorized representative)

Sean James McCauley Jr.

(Printed name and title)

Attest:
(Seal)



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G707—1994

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Sean James McCauley Jr., Christine M. Maestas, Edward N. Hackett, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 6th day of February, 2017.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, Vice-President



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 Orange

On February 6, 2017 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Daniel Young and Mark Lansdon
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 *Lucille Raymond*
Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 2nd day of April, 2018.

By: *Cassie J. Bernisford*
Cassie J. Bernisford, Assistant Secretary



Notary Acknowledgement

County of Dallas

On this the 2nd day of April, 20 18, before me, Courtney Lynn McCauley
(name of notary), personally appeared Sean James McAuley, D., known to me (or satisfactorily
proven) to be the person(s) whose name(s) is (is or are) subscribed to the within instrument and
acknowledged that he (he/she/they) executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand.

Date: 4/2/18

Courtney Lynn McCauley

Notary Public

Print Name: Courtney Lynn McCauley

Notary ID: 131369516

My commission Expires:

12-4-2021



IMPORTANT NOTICE

To obtain information or make a complaint:

You may call the Surety's toll free telephone number for information or to make a complaint at:

1-800-782-1546

You may also write to the Surety at:

P.O. Box 19725
Irvine, CA 92623-9725

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax# 512-475-1771
web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY: This notice is for information only and does not become a part or condition of the attached document.

AVISO IMPORTANCE

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de para informacion o para someter una queja al:

1-800-782-1546

Usted tambien puede escribir al Surety:

P.O. Box 19725
Irvine, CA 92623-9725

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al:

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax# 512-475-1771
web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS: Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el Surety primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA: Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.



AmTrust Surety
17771 Cowan, Suite 100
Irvine, CA 92614
1-800-782-1546
www.AmTrustSurety.com