

BILL NO.: 4721

ORDINANCE NO.: _____

Introduced by: Council Present

**AN ORDINANCE AMENDING ORDINANCE #4520 FOR A CONTRACT
EXTENSION WITH SPENCER CONTRACTING COMPANY FOR MILLER PARK
RENOVATIONS**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY,
MISSOURI, AS FOLLOWS:**

Section 1. The Council hereby approves an extension until August 1, 2019 for the Miller Park Renovations project with Spencer Contracting Company.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

1st Reading, this 15th day of July 2019

2nd Reading this _____ day of _____ 2019

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2019

Theodore Hoskins, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Mitchell	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman-at-Large Greene	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	___	Absent	___	Abstain	___

Introduced by: Council Present

AN ORDINANCE FOR THE CITY OF BERKELEY MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED AGREEMENT WITH SPENCER CONTRACTING COMPANY ACCORDING TO BID #878 – MILLER PARK RENOVATIONS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

- Section 1.** The Mayor is hereby authorized to execute the Spencer Contracting Agreement for park renovations according to Bid #878, Miller Park.
- Section 2.** The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.
- Section 3.** This Ordinance shall be in full force and effect from and after its passage.

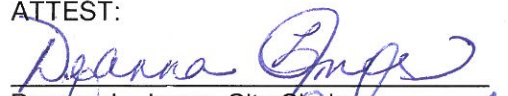
1st Reading, this 07th day of January 2019

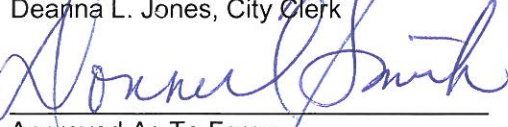
2nd Reading this 04th day of February 2019

3rd Reading, PASSED and APPROVED, this 04th day of February 2019


Theodore Hoskins, Mayor

ATTEST:


Deanna L. Jones, City Clerk


Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>
Councilwoman Hoskins	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>
Councilwoman Mitchell	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>
Councilwoman Williams	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>
Councilman-at-Large Greene	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>
Councilwoman Hindeleh	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>
Vacant	Aye <input type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>	Abstain <input type="checkbox"/>

AGREEMENT

THIS AGREEMENT made this 04th day of February 2019, under **Ordinance No. 4520** by and between the **CITY OF BERKELEY** (a municipal corporation organized and existing under the laws of the State of Missouri), herein after called the "Owner" and the **SPENCER CONTRACTING CO, 3073 ARNOLD TENBROCK RD., ARNOLD MO 63010** (a hereinafter called the "Contractor").

WITNESSETH: that the Contractor and the City of Berkeley, Missouri, for the considerations stated herein agree as follows:

STATEMENT OF WORK – BID NO 878 – WILLIAM MILLER CITY PARK: To mill and pave entire asphalt parking lot, stripe parking space, install ten (10) exercise stations, concrete pads and station turf, and station markers. Contractor to remove and replace two concrete entrances at lower level parking lot and create one into an ADA entrance. Contractor to install concrete pad for six new park benches and purchase and install benches.

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, and services performed, and complete all work required for the enhancement of **MILLER CITY PARK** at 8296 Frost Ave., Berkeley MO 63134 for the City of Berkeley, and all required supplemental work for completion of the project in accordance with the Contract documents.

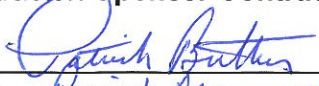
The Contractor must contact the City at least five (5) working days prior to start of project so that residents can be notified of project commencement date.

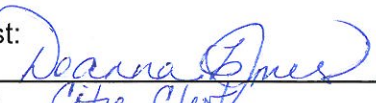
The City of Berkeley will pay the Contractor for the performance of the contract in current funds, for work performed at the prices stipulated on the attached bid for the work completed subject to any additions and deductions mutually agreed upon by both parties of this agreement.

CONTRACT: THE EXECUTED CONTRACT DOCUMENTS CONSIST OF THE DOCUMENTS FURNISHED TO EACH BIDDER AND THE CONTRACTOR FOR THIS PROJECT.

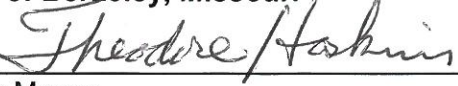
IN WITNESS WHEREOF, the contract parties hereto have caused this **AGREEMENT** to be executed in **one (1) originals and three (3) copies** on the day and year first above written.


Contractor: **Spencer Contracting Co.**

By: 
Title: Project Manager
Street: 3073 Arnold Tenbrock Rd.
City: Arnold MO 63010

Attest: 
By: Deanna Jones
Title: City Clerk

City of Berkeley, Missouri

By: 
Title: Mayor
Street: 8425 Airport Road
City: Berkeley, MO 63134

Attest: 
By: Deanna Jones
Title: City Clerk

Miller City Park Enhancements– MML 19

This activity is funded in whole or in part with funds through the Municipal Park Grant Commission, as amended. All applicable state and federal regulations shall be in full force and effect. Prevailing wage shall be paid on all project as required by Section 290.230 RSMo.

REPORT TO CITY COUNCIL



To: Honorable Mayor and Members of the City Council
From: Debra M. Irvin, City Manager
Date: December 24, 2018
Subject: Approval of Bid #878 – Miller Park Renovations (Municipal Grant 2019)

A bid opening was held on December 11, 2018 at 10:30 a.m. in the Berkeley Council Chambers for the 2019 Municipal Grant – Renovation of Miller Park. There were six (6) companies that submitted sealed bids. The results are as follows:

1. **Sweetens Concrete Services**

For the Concrete work only- consisting 10 exercise pads, two entrances; for a grand total of **\$37,037.37**

2. **S.B.C. Contracting Inc**

For asphalt work, concrete works and install exercise stations for a grand total of **\$231,400.00**

3. **Ideal Play and Surfacing**

For asphalt work, concrete works and install exercise stations for a grand total of **\$221,085.94**

4. **Asphalt Paving Concrete**

For asphalt work, concrete works and install exercise stations for a grand total of **\$226,294.00**

5. **Byrne & Jones**

For the Concrete work only- consisting 10 exercise pads, two entrances; for a grand total of **\$100,580.00**

6. **Spencer Contracting**

For asphalt work, concrete works and install exercise stations for a grand total of **\$187,425.00**

RECOMMENDATION

I am recommending *Spencer Contracting for the project*, they are the lowest and most responsive bidder, per the bid opening.

SUPPORTING DOCUMENTS

Please find attached the 2019 Contract Agreement for Spencer Contracting and the bid results from the December 11, 2018 bid opening

GRANT AWARD AMOUNT

\$ 168, 886

IMPACT ON CITY'S BUDGET

\$ 18,539.00

2019 BUDGET AMOUNT
\$300,000

RECOMMENDED CITY COUNCIL ACTION
Approve Spencer Contracting for the project

Respectfully submitted,

Debra M. Irvin



This will verify that at 10:30 am on December 11, 2018
 BID NO. 878 "MILLER PARK ASPHALT, CONCRETE, AND PARK UPGRADES" was opened and read aloud.
 Signed: Sheila Swinney Title: Contract Specialist

Pg.No.	Item Description	Name of Bidder: Sweetens Concrete Service Bid Bond: Yes_X No_5%	Name of Bidder: S.B.C. Contracting, Inc. Bid Bond: Yes_X No_5%	Name of Bidder: Ideal Play and Surfacing, Inc. Bid Bond: Yes_X No_5%	Name of Bidder: Asphalt Paving Concrete Bid Bond: Yes_X No_5%	Name of Bidder: Byrne & Jones Construction Bid Bond: Yes_X No_5%	Name of Bidder: Spencer Contracting Bid Bond: Yes_X No_5%
5	Bid Cover Sheet	X	X	X	X	X	X
6	Bid Submittal Sheet	X	X	X	X	X	X
8	Company Information Form	X	X	X	X	X	X
9	Affirmative Action Statement	X	X	X	X	X	X
10	Affirmative Action/Prime Vendor Questionnaire	X	X	X	X	X	X
12	Work Authorization Affidavit	X	X	X	X	X	X
13	Agreement	X	NONE	X	NONE	BLANK	NONE
16	Signature page of specifications	X	X	X	NONE	X	NONE
17	Total Bid Price Form	\$ 37,037.37	\$ 231,400.00	\$ 221,085.94	\$ 228,294.00	\$ 100,580.00	\$ 187,425.00
	Total Bid Price - ASPHALT:	NONE	\$ 98,700.00	\$ 100,236.13	\$ 173,054.00	X	\$ 80,946.00
	Total Bid Price - CONCRETE:	X	\$ 38,700.00	\$ 30,770.79	\$ 53,240.00	NONE	\$ 21,185.00
	Total Bid Price - RECREATION:	NONE	\$ 94,000.00	\$ 90,078.84	NONE	NONE	\$ 85,294.00
20	References	X	X	X	X	X	X
	Copies	1	1	4	1	4	4

BID #878
#6

**"MILLER PARK ASPHALT, CONCRETE, AND PARK UPGRADES"
CITY OF BERKELEY, MISSOURI**

BID SUBMITTAL COVER SHEET

To: City of Berkeley Missouri
Deanna Jones, City Clerk
8425 Airport Rd
Berkeley, Missouri 63134

To Whom It May Concern:

The undersigned, having familiarized (himself) (themselves) (itself) with the existing conditions of the project affecting the cost of work, and with the specifications, hereby proposes to furnish all supervision, technical personnel, labor, materials, machinery, tools, appurtenances, equipment and services, including utility and transportation services required to perform the work associated with the enhancements of Miller Park Asphalt and Park Upgrades, including site restoration in connection with the work within the City of Berkeley.

2. In submitting this bid, the bidder understands that the right is reserved by the City to reject any and all bids. Basis of award will be the total base bid of the lowest qualified bidder. If written notice of acceptance of this bid is mailed or delivered to the undersigned within thirty (30) days after the opening thereof, or any time thereafter before the bid is withdrawn, the undersigned agrees to execute and deliver an agreement in the prescribed form and furnish the required bond within ten (10) days after the Agreement is presented to him for signature.

3. A security of 5% must be included with bid; in the form of company check. Checks will be returned with 30 days of bid opening.

Security in the sum of Nine thousand three hundred seventy one and 25/100
Dollars (\$ 9371.25) in the form of Bid security bond is
submitted herewith in accordance with the INVITATION FOR BID.

4. The bidder shall be prepared to submit a financial and experience statement upon request.

5. TOTAL BID PRICE - ASPHALT: \$ 80,946.00

6. TOTAL BID PRICE - CONCRETE: \$ 21,185.-

7. TOTAL BID PRICE - RECREATION: \$ 85,294.00

**"MILLER PARK ENHANCEMENTS"
CITY OF BERKELEY, MISSOURI**

\$ 187,425.00

BID SUBMITTAL SHEET

	Miller City Park (formerly Independence Park)	EQUIPMENT MODEL	TOTAL BID COST
	ASPHALT		
1	Mill 2"-3" Existing Asphalt (4905 sq. yard)		18,946.-
2	New 2"-3" Asphalt Paving (4905 sq. yard)		43,600.-
3	New asphalt curbs		17,600.-
4	Performance & payment bond		800.-
5	Permits (no charge)		
	TOTAL		80,946.-
	CONCRETE		
1	ADA Concrete Entrance	Design Build	2,985.-
2	Concrete Step Entrance	Design Build	2,950.-
3	Concrete Pads (10)	16' x 16'	13,800.-
4	Concrete Pads for Benches (6)	4" x 6"	1,200.-
5	Performance & payment bond		250.-
6	Permits (no charge)		
	TOTAL		21,185.-
	RECREATION		
1	Demolish Exercise Stations (10)		23,100.- 2,000.- <i>AS</i>
2	Trash Dumpster (demo waste)		City to Provide
3	Exercise Stations (10)		23,100.-
4	Station Marker (10)		11,890.-
5	Station Turf (10)		31,710.-
6	Benches (6)		5,500.-
7	Security Camera Systems		8,034.-
8	Performance & payment bond		850.-
9	Permits (no charge)		Waived
10	Freight		2,200.-
	TOTAL		85,294.-

Signature: 

Title: President Date: 12/11/2018

BID PROCESS SCHEDULE

6

Miller City Park Enhancements- VML 19

This activity is funded in whole or in part with funds through the Municipal Park Grant Commission, as amended. All applicable state and federal regulations shall be in full force and effect. Prevailing wage shall be paid on all project as required by Section 290.230 RSMo.

BIDDER'S COMPANY INFORMATION
MILLER PARK ASPHALT AND PARK UPGRADES
CITY OF BERKELEY, MISSOURI

Please print legibly, except where signature is required.

Company Name: Spencer Contracting Co.

Company Address: 3073 Arnold Tenbrook Rd., Arnold, MO 63010

Phone Number: 314-843-5166

E-mail Address: tom.spencer@spencercontracting.com

Website: www.spencercontracting.com

Authorized Officer: Tom Spencer

Signature: 

Title: President

AFFIRMATIVE ACTION STATEMENT

THE CITY OF BERKELEY, MISSOURI is an EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

We acknowledge that we will hire and develop qualified people, solely on merit and qualifications, without regard to race, color, creed, religion, sex, national origin, ancestry, handicaps or age.

While acknowledging an obligation to the community to reaffirm its Fair Employment Policy, we also reaffirm our support for the various Presidential Executive Orders and regulations of the Equal Employment Opportunity Commission. In addition, we support the applicable provisions contained in the Civil Rights Acts, the Equal Pay Law, the Age Discrimination and Employment Act and the Missouri Act against Discrimination. The regulations, acts, orders and laws provide that discrimination based on race, color, creed, religion, sex, national origin, ancestry, handicaps or age is prohibited.

Our policy can be implemented only through the efforts of everyone within the company. A simple statement is not enough without full support. It is hoped that through an Equal Opportunity Plan, a fair and equitable program might be practiced. Through such a plan, applicants and employees should feel they could become an active part of the company without fearing reprisals due to extraneous factors not related to merit or qualifications.

Signed by  _____ Tom Spencer

Position President

Email: tom.spencer@spencercontracting.com

Telephone: 314-843-5166

Date: 12/11/2018

AFFIRMATIVE ACTION/PRIME VENDOR QUESTIONNAIRE

Many of you will probably be compiling similar information for your yearly E.E.O. Reports. If this is the case, and you would prefer to wait and complete this form at that time, please feel free to do so. If you want to be placed on the prime vendor list prior to that time we can do so with a copy of your

Affirmative Action Plan

1. Name and address of your organization: Spencer Contracting Co.
3073 Arnold Tenbrook Rd., Arnold, MO 63010
2. Name and position of person completing this report Michelle Seper, Contract Coordinator
3. We do not wish to be on your prime vendor list and is returning this form incomplete:
Yes _____ No X
4. Do you consider your organization to be an Equal Employment Opportunity Employer?
Yes X No _____
5. Are you part of or a division of a larger parent organization? _____ If Yes, please give parent organization name and home office address:

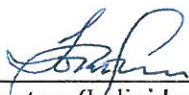
6. How many employees were on the payroll last pay period? Full Time 40
Part Time 0
7. How many women were on the payroll? Full Time 2 Part Time 0
8. How many minorities were on the payroll?
Full Time Male Minority employees: 3
Full Time Female Minority employees: 0
Part Time Male Minority employees: 0
Part Time Female Minority employees: 0
9. Does your organization include in its employment advertising a phrase similar to: "*We are an Equal Employment Opportunity Employer*" or if your organization has not advertised recently, will similar phrase be included if advertising is undertaken in the future Yes X No _____
10. Does your organization or you parent organization have an Affirmative Action Plan?
Yes X No _____ If Yes, please supply a copy of the current plan.
11. Does your organization have a designated department or person to function in the Equal Opportunity Position? Yes X No _____ If Yes, please supply the name, title, phone number and address for future correspondence.
Pat Buttner, Project Manager/EEO Officer, 314-843-5166
3073 Arnold Tenbrook Rd., Arnold, MO 63010

The City of Berkeley thank you for your cooperation in filling out this form.

WORK AUTHORIZATION AFFIDAVIT

Comes now Tom Spencer (Name) as President (Title)
first being duly sworn, on my oath, affirm Spencer Contracting Co.
(Company Name) is enrolled and will continue to participate in a Federal Work Authorization
Program in respect to employees that will work in connection with the contracted services related
to Miller Park Asphalt, Concrete, and Park Upgrades (Project Description) for the duration of the
contract, if awarded, in accordance with RSMo Charter 285.530(2). I also affirm that
Spencer Contracting Co. (Company Name) does not and will not
knowingly employ a person who is an unauthorized alien in connection with the contract services
related to the subject project for the duration of the contract, if awarded.

*In Affirmation thereof, the facts stated above are true and correct (The undersigned understands
that Oise statements made in this filing are subject to the penalties provided under Section
570.040, RSMo).*



Signature (Individual with Authority)

Tom Spencer

Printed Name

12/11/2018

Date

12/11/2018

Date

I am commissioned as a Notary Public within the County of St. Louis
State of Missouri and my commission expires on
July 18 2022.





3073 Arnold Tenbrook Road
Arnold, MO 63010
Phone 314-843-5166
Fax 314-843-6106

AFFIRMATIVE ACTION POLICY

It is the policy of Spencer Contracting Company not to discriminate against any employee or any applicant for employment because of age, race, religion, color, sex, national origin, disability or veteran status.

This policy shall include, but not be limited to the following:

- Hiring, placement, upgrading, transfer, demotion or promotion
- Recruitment, advertising or solicitation for employment
- Treatment during employment
- Rates of pay or other forms of compensation
- Selection for training, including apprenticeship and on the job training
- Layoff or termination

It is the policy of this company to achieve and maintain full compliance with all applicable statutes, regulations and executive orders on equal opportunity and affirmative action.

The Equal Opportunity Officer for Spencer Contracting Company is:

Pat Buttner
3073 Arnold Tenbrook Road
Arnold, MO 63010
Cell: 314-302-4152

All personnel who are responsible for hiring and promoting employees and for the development and implementation of programs or activities are directed to support this program. They shall provide leadership in implementing affirmative action goals and initiatives.

Spencer Contracting Company employs the following trades people:

Carpenters Laborers Operators Cement Masons

Timothy J. Spencer
Vice President

AIA Document A310™ – 2010

Bid Bond

CONTRACTOR:*(Name, legal status and address)*

SPENCER CONTRACTING COMPANY
3073 Arnold Tenbrook Road
Arnold, MO 63010

OWNER:*(Name, legal status and address)*

City of Berkeley
8425 Airport Road
Saint Louis, MO 63134

SURETY:*(Name, legal status and principal place of business)*

North American Specialty Insurance Company
5200 Metcalf Avenue
Overland Park, KS 66202

Mail Notices To:

**North American Specialty
Insurance Company**
5200 Metcalf Avenue
Overland Park, KS 66202

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

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

BOND AMOUNT: Five Percent of the Amount Bid ----- dollars (\$ 5% of Amount Bid)

PROJECT: Miller Park Asphalt, Concrete and Park Upgrades


(Name, location or address, and Project number, if any)

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

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

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

Signed and sealed this 11th day of December, 2018.


(Witness)

SPENCER CONTRACTING COMPANY

(Principal)


(Title)

(Seal)


(Witness) Donna Robson, Witness

North American Specialty Insurance Company

(Surety)


(Title) Andrea McCarthy, Attorney-In-Fact

(Seal)

State of Missouri
County of St. Louis

On 12/11/2018, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Andrea McCarthy known to me to be Attorney-in-Fact of

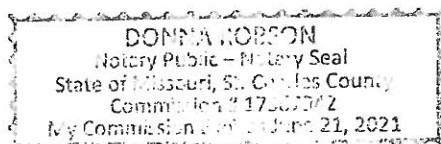
NORTH AMERICAN SPECIALTY INSURANCE COMPANY

the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.



Donna Robson, Notary Public



My Commission Expires: _____

SWISS RE CORPORATE SOLUTIONS

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY
WESTPORT INSURANCE CORPORATION

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Overland Park, Kansas and Washington International Insurance Company a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Overland Park, Kansas, and Westport Insurance Corporation, organized under the laws of the State of Missouri, and having its principal office in the City of Overland Park, Kansas each does hereby make, constitute and appoint:

ANDREW P. THOME, DANA A. JOHNESSEE, PETER J. MOHS, AMANDA L. WILLIAMS

MICHAEL D. WIEDEMEIER, ANDREA MCCARTHY, DONNA ROBSON and ASHLEY MILLER JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

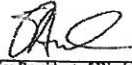
FIFTY MILLION (\$50,000,000.00) DOLLARS

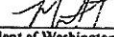
This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on March 24, 2000 and Westport Insurance Corporation by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company 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 or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By 
Steven P. Anderson, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company
& Senior Vice President of Westport Insurance Corporation

By 
Mike A. Ito, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company
& Senior Vice President of Westport Insurance Corporation



IN WITNESS WHEREOF, North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 25th day of OCTOBER, 20 18.

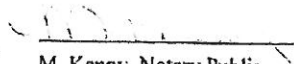
North American Specialty Insurance Company
Washington International Insurance Company
Westport Insurance Corporation

State of Illinois
County of Cook ss:

On this 25th day of OCTOBER, 20 18, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of


Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Senior Vice President of Westport Insurance Corporation and Michael A. Ito Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Senior Vice President of Westport Insurance Corporation, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.




M. Kenny, Notary Public

I, Jeffrey Goldberg, the duly elected Vice President and Assistant Secretary of North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 11 day of December, 20 18.


Jeffrey Goldberg, Vice President & Assistant Secretary of Washington International Insurance Company &
North American Specialty Insurance Company & Vice President & Assistant Secretary of Westport Insurance Corporation