

**SECTION 00 41 00
BID PROPOSAL
TO THE CITY OF NEWARK, CALIFORNIA**

Name of Bidder: Foundry Construction, Inc.

Business Address: 66 Franklin Street, Suite 300

City, State, Zip: Oakland, CA 94607

Telephone No.: Area Code (510) 703-1256

Email Address: asau@foundryconstructioninc.com

The work for which this proposal is submitted is for construction in accordance with the Specifications (including the payment of not less than the minimum wage rates set forth therein) and the contract annexed hereto, the project Plans described below, and the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished.

The project Plans for the work to be done were approved and are entitled:

**NEWARK RESOURCE CENTER RENOVATIONS
37365 Ash Street, Newark, CA 94560
City Project No. 1360**

Bids are to be submitted for the entire work. The amount of the bid for comparison purposes will be the total of all Base Bid items. This is deemed to include all labor, equipment material, transportation and applicable taxes, profit, insurance, bonds and other overhead to perform the Work in accordance with the Project Plans and Technical Specifications, herein:

BID ITEM	APPRO X.QTY.	UNIT	DESCRIPTION, WITH UNIT PRICE IN WORDS (EACH BID ITEM SHALL INCLUDE ALL APPLICABLE TAXES, PROFIT, INSURANCE, BONDS, AND OTHER OVERHEAD)	UNIT PRICE	TOTAL ITEM PRICE
001	1	Lump Sum	BASE BID—All work shown on the Newark Resource Center drawings, technical specifications, and IFB appendices.	\$	\$ 2,005,000.00 <i>NC 2,005,000.00</i>
002	1	Lump Sum	BASE BID – Abatement of all Hazardous Materials in the Resource Center Main Building. Viola Blythe Building is excluded from the scope of this project.	\$	\$ 70,000.00 <i>NC 70,000.00</i>

BID ITEM	APPRO X.QTY.	UNIT	DESCRIPTION, WITH UNIT PRICE IN WORDS (EACH BID ITEM SHALL INCLUDE ALL APPLICABLE TAXES, PROFIT, INSURANCE, BONDS, AND OTHER OVERHEAD)	UNIT PRICE	TOTAL ITEM PRICE
Base Bid Total (items 001 through 002)					\$ 2,075,000.00
(Total in words: <u>TWO MILLION, SEVENTY FIVE THOUSAND & 00/100</u>)					\$ 2,000,000.00 2,075,000.00

If this proposal is accepted and the undersigned shall fail to enter into the contract and furnish the two (2) bonds in the sums required by the State Contract Act and Section 00 21 13 (Instruction to Bidders) of the Specifications, with surety satisfactory to the City of Newark within ten (10) days, not including Sundays and legal holidays, after the Bidder has received notice from the City of Newark that the contract has been awarded, the City of Newark may, at its option, determine that the Bidder has abandoned the contract, and thereupon this proposal and the acceptance thereof shall be null and void and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of Newark.

The undersigned as Bidder, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he/she has carefully examined the location of the proposed work, the annexed proposed form of contract, and the Plans therein referred to; and he/she proposed and agrees, if this proposal is accepted, that he/she will contract with the City of Newark, in the form of the copy of the contract annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction and to do all the work therein prescribed, and according to the requirements of the Engineer as therein set forth.

NOTES:

1. The award of contract, if it is awarded, will be to the lowest responsible Bidder as determined by the Total Base Bid. Pursuant to Section 20103.8 of the Public Contract Code, the City reserves the right to add any or all of the Additive Alternate Bids after the lowest responsible Bidder has been determined. The addition of Additive Alternate Bids does not change the basis by which the project will be awarded.

CERTIFICATIONS AND SIGNATURES

CERTIFICATIONS - GENERAL

The Bidder's execution on the signature portion of this proposal shall also constitute an endorsement and execution of those certifications which are part of this proposal. Signature of Bidder shall be properly notarized.

MINOR INFORMALITIES

The City reserves the right to waive minor informalities and/or bid non-responsiveness that does not influence the competitive nature of the bid.

PROPOSAL FORM

Bids shall be submitted on the Bid Proposal forms included in this Section 00 41 00. A complete Bid Proposal, with all forms included in Section 00 41 00, must be submitted. The signature(s) of the Bidder constitutes acknowledgment that the set of Specifications used in preparing his/her bid is complete and the intent of the Bidder is to comply with all provisions of the Specifications.

BIDDER'S GUARANTEE

Accompanying this proposal is a Bidder's Guarantee (*Check Appropriate Attachment*):

- Cashiers Check (\$ _____)
- Bidder's Bond in the amount of 10% of the total bid

Note: Refund of a Bidder's Guarantee in the form of a Cashier's Check will be made by returning the unendorsed Cashier's Check to the Bidder, after the City has entered into a contract with the apparent low Bidder. Therefore, the Cashier's Check receipt should be retained by the Bidder.

ADDENDA

This Proposal is submitted with respect to the changes to the contract included in Addendum Number(s):

1 (Dated 08/09/24), 2 (Dated 08/27/24), 3, DATED 8/30/24
(Fill in addendum number(s) if addenda have been received)

Warning: If an addendum or addenda have been issued by the City and not noted above as being received by the Bidder, this Proposal may be rejected.

ADDITIONAL FORMS REQUIRED

Check the following boxes indicating attachment of the respective forms with this Bid Proposal:

List of Subcontractor (required)

Bidder's Statement of Financial Responsibility, Technical Ability, and Experience (required)

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29 DEBARMENT, AND SUSPENSION CERTIFICATION

The Bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Bid. Signing this Bid on the signature portion thereof shall also constitute signature of this Certification.

NON-COLLUSION DECLARATION

The undersigned declares:

I am the President of Foundry Construction, Inc., the party making the foregoing bid. The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham bid. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder. All statements contained in the bid are true. The Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on August 31, 2024, at Oakland, California.

LICENSE INFORMATION

The Bidder hereby certifies that he/she is licensed in accordance with an act providing for the registration of Contractors:

License No. 1089831 Contractor's License Expiration Date 04/30/2026

Classification(s) A, B

DIR Registration No. 1000885643 Expiration Date 06/30/2025

LIST OF SUBCONTRACTORS

The Bidder shall list the name and address of each subcontractor to whom the Bidder proposed to subcontract portions of the work in excess of one-half of one percent (1/2 of 1%) of the total bid. If none, so indicate. Provide all information requested below.

If the Bidder fails to specify a Subcontractor, or if the Bidder specified more than one Subcontractors for any portion of the work to be performed under the contract in excess of one-half of one percent (1/2 of 1%) of the Bidder's total bid, he/she agrees that he/she is fully qualified to perform that portion of work himself/herself, and that he/she will perform that portion himself/herself. The listing of more than one Subcontractor for each item of work to be performed with the words 'and/or' will not be permitted. Failure to comply with this requirement may render the Bid as non-responsive and may cause its rejection. List all such Subcontractors below, or on additional sheets, as required.

As of July 1, 2014, all Contractors bidding on this project are required to register with the Department of Industrial Relations (DIR) and to pay the required annual fee. Under California Labor Code section 1771.1, as amended by SB 854, unless registered with the DIR, a Contractor may not bid or be listed as a Subcontractor, for any bid proposal submitted for public works projects on or after March 1, 2015. The Contractors will be required to submit certified payrolls during the course of the project. This project is subject to compliance enforcement and monitoring by the State of California Department of Industrial Relations.

Subcontractor Name License Number DIR Registration No.	Address/ Phone Number/ Email	Description Of Work Subcontracted	Amount Subcontracted*
Demo Services & Grading Inc. PALS 7015534 1000039367 700658 1000868914	7841 Setter Lane Vacaville, CA 95688 PO BOX 31986 STROUSTON CA 95213	Demolition / Abatement / Site Demo	43995
		Concrete	
AIRE SHEET METAL 271264 1000000307	1973 EAST BAYSHORE ROAD REDWOOD CITY CA 94063	HVAC	\$81,500
Executive Interiors 885715 1000013318	1287 W. Nielsen Ave Fresno CA 93706	Millwork	65,292
Rick Slater Construction 807984 1000012815	1521 Berger Drive San Jose, CA 95112	Rough Carpentry	45,000
Heritage Doors 898245 2000000378	626 Commerce Court Manteca, CA 95336	DFH	\$39,630
Mission Glass 743746 1000020587	200 VALLEY DR #17 BRISBANE, CA 94005	Glass & Glazing	\$9,592

Freas Plastering 602414 1000005281	2680 Cloverdale Ave Concord, CA 94518	Plaster	\$26,310
<i>M</i> Golden Gate Drywall 188548 1000707067 NORTH BAY DRYWALL 6035251 1000054143	399 Beach Road, Burlingame, CA 94010 PO BOX 7340 COTTON CA 94931	Drywall	39,000 26,000
De Anza Tile 402306 1000001077	45755 NORTHPORT LOOP W FREMONT, CA 94538	Tile	\$20,155
WELKER BROS 229332 1000014100	970 SOUTH MILPITAS BLVD MILPITAS, CA 95035	Flooring	22,950
<i>KB1</i> 944475 1000005867	1310 ROSS ST SUITE A PETALUMA CA 94954	Painting	33261
Service Metal Products 1020458 1000006200	9828 KITTY LANE OAKLAND, CA 94603	Restroom Accessories	\$6,090
Cal Pacific Systems	50 Cypress Lane Brisbane, CA 94005	Plumbing	88,000
<i>M</i> Legacy Mechanical 808022 1000018139	2603 CAMINO RAMON STE 490 SAN RAMON, CA 94583	HVAC	
<i>COE</i> 1041970 1000437263	3250 PUTTON ST SUITE B SANTA ROSA CA 95403	Electrical / LV	283602

* Use Cost Amount representing actual work to be performed by the respective subcontractor.

		Site Work	
		Asphalt	
Chrisp Company 374600 1000000306	43650 OSGOOD ROAD Fremont, CA 94539	Striping	6925
AAA FENCE 522762 100000526	2746 SCOTT BLVD SAN MATEO CA 95050	Fencing	56238
Ross Recreation Equipment 520752 1000003500	100 Brush Creek Road, Suite 206 Santa Rosa, Ca 95404	Pour in Place Playground Surfacing	23188
<i>M</i> European Paver Design 445163 1000005559	1474 Berger Drive San Jose, CA 95112	Pavers	60597
<i>M</i> Martina Landscaping 748758 1000013988 MARINA LANDSCAPING 492862 100056616	811 Camden Ave Campbell, CA 95008 1683 EAST LOUISE AVE LATHROP CA 95330	Landscaping	112382
		Site Utilites	
Powell's Environmental Graphics 1091192 1001160438	3300 BROOKSIDE DR MARTINEZ, CA 94553	Signage	\$12,459

* Use Cost Amount representing actual work to be performed by the respective subcontractor.

M

		Plaster 	
GUGRA CONSTRUCTION GROUP 915544 100000 330	984 MEMORON DRIVE SANTA CLARA CA 95050	Drywall SITE DEMO GRADING PAVING CONCRETE SITE UTILITIES	479,568
		Tile	
		Flooring	
		Painting	
		Restroom Accessories	
		Plumbing	
		HVAC	
		Electrical / LV / Fire Alarm	

* Use Cost Amount representing actual work to be performed by the respective subcontractor.

SIGNATURE BLOCK

The names of all persons interested in the foregoing proposal as principals are as follows:

IMPORTANT NOTICE: If the Bidder or other interested person is a corporation, state the legal name of the corporation, also the names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state the true name of firm, also the names of all individual copartners composing firm; if the Bidder or other interested person is an individual, state the first and last names in full.

Foundry Construction, Inc, an California corporation

Alan Sau, President, Secretary, Treasurer

Nate Carlin, Vice President

By my signature on this proposal I certify, under penalty of perjury under the laws of the State of California, that the Non-Collusion Affidavit required by Public Contract Code Section 7106 is true and correct.

SIGN HERE



Date: 08/31/2024

Signature of Bidder *Must be Properly Notarized*

Business address 66 Franklin Street, Suite 300

Place of business Oakland, CA 94607

Place of residence 66 Franklin Street, Suite 300, Suite 300 Oakland, CA 94607

Form of Company (*check one*):

California Corporation

Limited Partnership

Other (specify)

END OF SECTION



BIDDER’S EXPERIENCE OF FINANCIAL RESPONSIBILITY, TECHNICAL ABILITY, AND EXPERIENCE

The Bidder submits, below (or attached), a statement of projects of similar character to the described in the proposed contract that have been successfully performed by the Bidder. The statement shall include a brief description, approximate cost, and applicable references associated with each project listed and shall be of sufficient detail to enable the City Council to judge the responsibility, experience, skill and business standing of the Bidder.

Project #1

Project Name	T1 – 5 th Floor BeiGene
Location	1900 Powell Street Emeryville, CA 94608
Owner	LPC West
Owner /Construction Manager Contact	Hao Pham, 510.424.5628
Description of Project, Scope of Work Completed	Tenant Improvement project consisting of new offices, breakroom, coffee bar, Conf room and Training room. Scope included new finishes, and MEPF distribution
Total Construction Cost	\$1,050,000
Total Change Order Amount	\$48,682.00
Original Date of Completion	July 2023
Time Extensions Granted	0
Actual Date of Completion	July 2023

Project #2

Project Name	2 nd Floor Spec Suite
Location	360 22 nd Street Oakland, CA 94612
Owner	Brickman LLC
Owner /Construction Manager Contact	Geri St Cyr, 415.371.1744 Brandon Stinespring, 650.272.7164
Description of Project, Scope of Work Completed	Demolition of multiple demised suites on the 2 nd floor to create a new full floor spec suite on the 2 nd floor with new restrooms. Scope of work included demolition and abatement of existing finishes, lighting, power, plumbing, VAV’s and all ducting, installation of new interior partitions, finishes, and MEPF distribution.
Total Construction Cost	+/- \$2,300,000
Total Change Order Amount	+/- \$70,000.00
Original Date of Completion	May 2020
Time Extensions Granted	0
Actual Date of Completion	May 2020

Project #3

Project Name	6 th Floor Spec Suite
Location	360 22 nd Street Oakland, CA 94612
Owner	Brickman LLC
Owner /Construction Manager Contact	Geri St Cyr, 415.371.1744 Brandon Stinespring, 650.272.7164
Description of Project, Scope of Work Completed	Demolition of multiple demised suites on the 6 th floor to create a new full floor spec suite on the 6 th floor. Scope of work included demolition and abatement of existing finishes, lighting & power, plumbing fixtures and all VAV's and ductwork, installation of new interior partitions, DFH, glass & glazing, finishes and MEPF distribution.
Total Construction Cost	+/- \$1,600,000
Total Change Order Amount	+/- \$55,000.00
Original Date of Completion	May 2020
Time Extensions Granted	32 days
Actual Date of Completion	June 2020

Project #4

Project Name	Willow Pass Fitness Renovation
Location	2748 E Olivera Rd, Concord, CA 94519
Owner	City of Concord
Owner /Construction Manager Contact	Kevin Wheat, 925.671.3422
Description of Project, Scope of Work Completed	Demo existing concrete, barking, fencing and installation of new reinforced concrete pad, fening, and rubberized tile on top of concrete. Coordination of owner vendor (Kompan) for the installation of outdoor fitness equipment.
Total Construction Cost	\$194,000
Total Change Order Amount	\$0.00
Original Date of Completion	September 2023
Time Extensions Granted	0 days
Actual Date of Completion	September 2023

Project #5 (Currently in Progress, approx. 95% complete, scheduled completion date: September 13, 2024)

Project Name	SBWMA Admin Office TI
Location	1245 San Carlos Ave, San Carlos, CA 94070
Owner	Rethink Waste
Owner /Construction Manager Contact	Joe La Mariana, 650.759.1172 Rob Kalkbrenner, 650.520.4590
Description of Project, Scope of Work Completed	TI project consisting of building a second-floor mezzanine, new ADA restrooms, breakroom, Board room, and offices. Scope of work included new structural steel, interior partitions, finishes such as ceramic tile,

	acoustical baffles, stretched acoustical wall treatment, carpet, hardwood flooring, ADA lift, and MEPF distribution
Total Construction Cost	\$1,654,500.00
Total Change Order Amount	\$169,117.46 (currently)
Original Date of Completion	August 2024
Time Extensions Granted	38 days
Actual Date of Completion	September 2024

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.

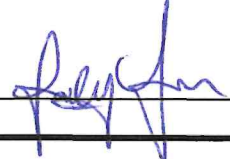
State of California
County of Alameda)

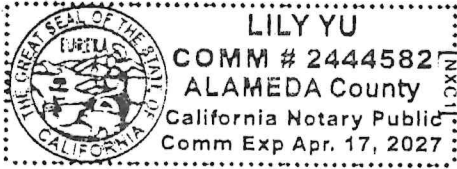
On August 31, 2024 before me, Lily Yu, Notary Public
(insert name and title of the officer)

personally appeared Alan Sau,
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  (Seal)



**SECTION 00 43 13
BOND ACCOMPANYING BID (BIDDER'S BOND)**

KNOW ALL MEN BY THESE PRESENTS,

That we, Foundry Construction, Inc., as PRINCIPAL, and Merchants Bonding Company (Mutual) as SURETY, are held and firmly bound unto the City of Newark in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the City of Newark, Public Works Department, for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the surety hereunder exceed the sum of Ten Percent of the Total Amount Bid (\$ 10% of the Bid).

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the above-mentioned bid to the City of Newark, for certain construction specifically described as follows for which bids are to be opened at Newark, California on Tuesday, September 3, 2024 for:

**NEWARK RESOURCE CENTER RENOVATIONS
Projects 1360**

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and within the time and manner required in these Specifications, after the prescribed forms are presented to him for signature, enters into a written contract for the work in accordance with the proposal, and files the two bonds with the Public Works Department, one to guarantee faithful performance and the other to guarantee payment for labor and materials, as required by law, then this obligation shall be null and void; otherwise it shall be and remain in full force and effect.

Bidder's Bond (continued)

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

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 29th day of August, 2024.

PRINCIPAL: Foundry Construction, Inc.

Signature 

Address: 66 Franklin Street, Suite 300

City Oakland State CA Zip 94607


Phone: (510) 704-3009

SURETY: Merchants Bonding Company (Mutual)

Home Office Address: P.O. Box 14498

City Des Moines State IA Zip 50306-3498

Phone: (800) 678-8171

By: 
Breanna Boatright, Attorney-In-Fact

SURETY AGENT: InterWes Insurance Services LLC

Office Address: 8950 Cal Center Drive, Bldg. 3, Suite 200

City Sacramento State CA Zip 95826

Phone: (916) 488-3100

NOTE: Signatures of those executing for the surety must be properly notarized.

NEVADA NOTARY ACKNOWLEDGMENT

THE STATE OF NEVADA

COUNTY OF Washoe

This instrument was acknowledged before me on 08/29/2024

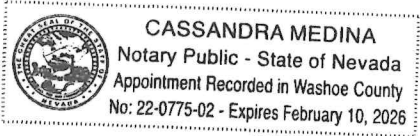
(date) by Breanna Boatright, (name of person).

Cassandra Medina

Notary Public Signature

Print Cassandra Medina

Title Notary Public



(Seal)

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Bill Rapp; Brad Espinosa; Breanna Boatright; Cassandra Medina; Deanna Quintero; Elizabeth Collodi; Jason March; Jennifer Lakmann; John Hopkins; John Weber; Kathleen Le; Matthew Foster; Mindy Whitehouse; Pam Sey; Paula Senna; Phillip Watkins; Renee Ramsey; Samantha Watkins; Sara Walliser; Sharon Smith; Steven Lee Williams; Tony Clark

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and April 27, 2024 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015 and amended on April 27, 2024.

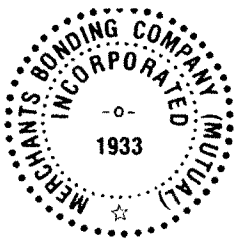
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 29th day of July, 2024.



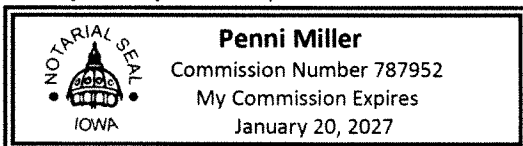
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By

President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 29th day of July, 2024, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

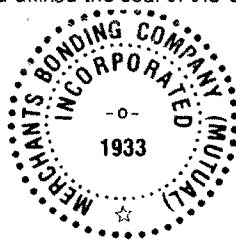


Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, Elisabeth Sandersfeld, Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 29th day of August, 2024.



Secretary

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 Alameda)

On August 31, 2024 before me, Lily Yu, Notary Public
(insert name and title of the officer)

personally appeared Alan Sau,
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  (Seal)

