

SECTION 00300  
LOUISIANA UNIFORM PUBLIC WORK BID FORM

TO: St. Charles Parish  
15045 River Road, Courthouse Building  
Hahnville, LA 70057  
*(Owner to provide name and address of owner)*

BID FOR: WB B Plant Filter Upgrade  
St. Charles Project No. WWKS 68  
EES Project No. 1104  
*(Owner to provide name of project and other identifying information)*

The undersigned bidder hereby declares and represents that she/he; a) has carefully examined and understands the Bidding Documents, b) has not received, relied on, or based his bid on any verbal instructions contrary to the Bidding Documents or any addenda, c) has personally inspected and is familiar with the project site, and hereby proposes to provide all labor, materials, tools, appliances and facilities as required to perform, in a workmanlike manner, all work and services for the construction and completion of the referenced project, all in strict accordance with the Bidding Documents prepared by: Environmental Engineering Services, Inc. and dated: September, 2011.

*(Owner to provide name of entity preparing bidding documents.)*

Bidders must acknowledge all addenda. The Bidder acknowledges receipt of the following ADDENDA: (Enter the number the Designer has assigned to each of the addenda that the Bidder is acknowledging) #1 - 11/1/11 ; #2 - 11/8/11 ; #3 - 11/14/11 ; #4 - 11/16/11

TOTAL BASE BID: For all work required by the Bidding Documents (including any and all unit prices designated "Base Bid" \* but not alternates) the sum of:

Three hundred eighty thousand Dollars (\$ 380,000.<sup>00</sup>)

ALTERNATES: For any and all work required by the Bidding Documents for Alternates including any and all unit prices designated as alternates in the unit price description.

Alternate No. 1 *(Owner to provide description of alternate and state whether add or deduct)* for the sum of:

N/A Dollars (\$ N/A)

Alternate No. 2 *(Owner to provide description of alternate and state whether add or deduct)* for the sum of:

N/A Dollars (\$ N/A)

Alternate No. 3 *(Owner to provide description of alternate and state whether add or deduct)* for the sum of:

N/A Dollars (\$ N/A)

NAME OF BIDDER: GUY HOPKINS SONSTRUCTION CO., INC.

ADDRESS OF BIDDER: 13855 WEST AMBER AVE  
BATON ROUGE, LA 70809

LOUISIANA CONTRACTOR'S LICENSE NUMBER: 18310

NAME OF AUTHORIZED SIGNATORY OF BIDDER: H. GUY HOPKINS, III

TITLE OF AUTHORIZED SIGNATORY OF BIDDER: PRESIDENT

SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER \*\*: H. Guy Hopkins III

DATE: 12.9.11

\* The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.

\*\* If someone other than a corporate officer signs for the Bidder/Contractor, a copy of a corporate resolution or other signature authorization shall be required for submission of bid. Failure to include a copy of the appropriate signature authorization, if required, may result in the rejection of the bid unless bidder has complied with La. R.S. 38:2212(A)(1)(c) or RS 38:2212(O).

BID SECURITY in the form of a bid bond, certified check or cashier's check as prescribed by LA RS 38:2218.A is attached to and made a part of this bid.

1. Definitions:

For the purposes of the Louisiana Uniform Public Works Bid Form the following terms shall have the stated meanings.

“Alternate” A specified item of construction that is set apart by a separate sum. An alternate may or may not be incorporated into the contract sum at the discretion of the owner at the time of contract award.

“Base Bid” The amount of money stated in the bid as the sum for which the bidder offers to perform the work described in the bidding documents, prior to the adjustments for alternate bids but including any unit prices.

“Bid” A complete signed proposal to perform work or a designated portion for a stipulated sum. A bid is submitted in accordance with the bidding documents, is evaluated on price alone and is not subject to qualification.

“Bidder:” An entity or person who submits a bid for a prime contract with the owner. A bidder is not a contractor on a specific project until a contract is signed between the bidder and the owner.

“Bid Form” A form provided to the bidder on which to submit his bid.

“Bid Security” A bid bond or deposit submitted with a bid to guarantee to the owner that the bidder, if awarded the contract, will execute the contract within a specified period of time and will furnish any bonds or other requirements of the bidding documents.

“Bidding Documents:” Documents usually including advertisement, bid notice or invitation to bidders, instructions to bidders, bid form, form of contract, forms of bonds, conditions of contract, drawings, specifications addenda, special provisions, and all other written instruments prepared by or on behalf of a public entity for use by prospective bidders on a public contract.

“Owner” The public entity issuing the bid.

"Public entity" means and includes the state of Louisiana, or any agency, board, commission, department, or public corporation of the state, created by the constitution or statute or pursuant thereto, or any political subdivision of the state, including but not limited to any political subdivision as defined in Article VI Section 44 of the Constitution of Louisiana, and any public housing authority, public school board, or any public officer whether or not an officer of a public corporation or political subdivision. "Public entity" shall not include a public body or officer where the particular transaction of the public body or officer is governed by the provisions of the model procurement code.

"Public work" Means the erection, construction, alteration, improvement, or repair of any public facility or immovable property owned, used, or leased by a public entity.

“Unit Price” The amount stated in a project bid representing the price per unit of materials and/or services.

2. Unit Price Form:

The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.

3. Alternates:

Provide space for, give descriptive title to and arrange for alternates in the order of priority. A maximum of (3) three alternates are allowed by State law.

4. Bid Security:

If bid security is provided in a form other than a bid bond, the bid bond form may be eliminated.

5. The undersigned Bidder proposes and agrees, if this Bid is accepted to enter into an Agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid Form and the Agreement, and in accordance with the other terms and conditions of the Contract Documents.
6. Bidder accepts all of the terms and conditions of the Bidding Documents, including without limitation those dealing with the disposition of Bid Security.
7. In submitting this Bid, Bidder makes all representations required by the Instructions to Bidders and further warrants and represents that:
  - a. Bidder has examined copies of all the Bidding Documents, the Advertisement for Bids, the Instructions to Bidders.
  - b. Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions, Laws, and Regulations that in any manner may affect cost, progress, performance, or furnishing of the Work.
  - c. Bidder has studied carefully all reports and drawings of subsurface conditions and drawings of physical conditions which are identified in the Information to Bidders and as provided in Paragraph 4.2 of the General Conditions and accepts the determination set forth in Paragraph SC-4.2 of the Supplementary Conditions of the extent of the technical data contained in such reports and drawings upon which Bidder is entitled to rely.
  - d. Bidder has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, and studies (in addition to or to supplement those referred to in (c) (above) which pertain to the subsurface or physical conditions at the site or which otherwise may affect the cost, progress, performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.2 of the General Conditions; and Bidders assumes responsibility for obtaining at no additional cost to Owner such additional examinations, investigations, explorations, tests, reports, or similar information or data as may be required by Bidder for such purposes.
  - e. Bidder has reviewed and checked all information and data shown or indicated in the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. Bidder assumes responsibility for obtaining at no additional cost to Owner such additional examinations, investigations, explorations, tests, reports, or similar information or data in respect of said Underground Facilities as may be required by Bidder in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.3 of the General Conditions.

- f. Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Contract Documents.
- g. Bidder has given Engineer written notice of all conflicts errors, or discrepancies that it has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- h. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or a corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for himself any advantage over any other Bidder or over Owner.
8. The Bidder agrees that the Work shall be substantially completed within the prescribed number of calendar days as stipulated in Paragraph 3.1 of the Agreement, and in accordance with Paragraph 14.8 of the General Conditions. Contract Time commences to run as provided in Paragraph 2.3 of the General Conditions, and the Work shall be completed and ready for final payment in accordance with Paragraph 14.13 of the General Conditions and Section 00500, Agreement.
9. The following documents are attached to and made a condition of this Bid:
- (a) Bid Bond (Section 00410); or cashiers check or certified check
  - (b) Power of Attorney (For Surety Bond only)
  - (c) Corporate Resolution (if by a corporation or joint venture of corporations) (Section 00485).
10. The following documents may be requested at a later date and in accordance with the Bid Documents. Failure to provide these documents may constitute a non-responsive bid and therefore be rejected.
- (a) Questionnaire (Section 00430)
  - (b) Schedule of Suppliers (Section 00450).
  - (c) Noncollusive and Nonsolicitation Affidavit (Section 00480)
  - (d) Attestation Clause(Section 00470)
11. Communications with the Bidder concerning this Bid shall be addressed to:
- GUY HOPKINS
- Name of Bidder: CONSTRUCTION CO., INC. Contact Name: JOHN GAIENNIE
- Address of Bidder: 13855 WEST AMBER AVE Contact Number: 225.751.2158
- BATON ROUGE, LA 70809 Contact Fax Number: 225.751.2159
12. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract Documents have the meaning assigned to them in the General Conditions.

**END OF SECTION**

SECTION 00485

AUTHORITY TO EXECUTE CONTRACT

CORPORATE RESOLUTION

A meeting of the Board of Directors of GUY HOPKINS CONSTRCUTION CO., INC. a corporation organized under the laws of the State of LOUISIANA and domiciled in BATON ROUGE was held this 1ST day of APRIL, 1984 and was attended by a quorum of the members of the Board of Directors.

The following resolution was offered, duly seconded and after discussion was unanimously adopted by said quorum:

**BE IT RESOLVED**, that H. GUY HOPKINS, III (PRESIDENT) is hereby authorized to submit proposals and execute agreements on behalf of this corporation with the Parish of St Charles.

**BE IT FURTHER RESOLVED**, that said authorization and appointment shall remain in full force and effect, unless revoked by resolution of this Board of Directors and that said revocation will not take effect until the Purchasing Director of the Parish of St. Charles, shall have been furnished a copy of said resolution, duly certified.

I, M. COLLETTE LAMBERT, hereby certify that I am the Secretary of GUY HOPKINS CONSTRUCTION CO., INC. a corporation created under the laws of the State of LOUISIANA domiciled in BATON ROUGE; that the foregoing is a true and exact copy of a resolution adopted by a quorum of the Board of Directors of said corporation at a meeting legally called and held on the 1ST day of APRIL, 1984 as said resolution appears of record in the Official Minutes of the Board of Directors in my possession.

This 9th day of Dec, 2011.

M Collette Lambert

SECRETARY, M. COLLETTE LAMBERT

END OF SECTION

WB B Plant Filter Upgrade

NAME OF PROJECT

St. Charles Project No. WWKS 68

EES Project No. 1104

PROJECT NUMBER

**ATTESTATION CLAUSE REQUIRED BY  
LA. R.S. 38:2227 (PAST CRIMINAL CONVICTIONS OF BIDDERS)**

Appearer, as a Bidder on the above-entitled Public Works Project, does hereby attest that:

A. No sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named below has been convicted of, or has entered a plea of guilty or nolo contendere to any of the following state crimes or equivalent federal crimes:

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| (a) Public bribery (R.S. 14:118)      | (c) Extortion (R.S. 14:66)        |
| (b) Corrupt influencing (R.S. 14:120) | (d) Money laundering (R.S. 14:23) |

B. Within the past five years from the project bid date, no sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named below has been convicted of, or has entered a plea of guilty or nolo contendere to any of the following state crimes or equivalent federal crimes, during the solicitation or execution of a contract or bid awarded pursuant to the provisions of Chapter 10 of Title 38 of the Louisiana Revised Statutes:

- |  |  |
|--|--|
| (a) Theft (R.S. 14:67)                           | (f) Bank fraud (R.S. 14:71.1)                                |
| (b) Identity Theft (R.S. 14:67.16)               | (g) Forgery (R.S. 14:72)                                     |
| (c) Theft of a business record<br>(R.S.14:67.20) | (h) Contractors; misapplication of<br>payments (R.S. 14:202) |
| (d) False accounting (R.S. 14:70)                | (i) Malfeasance in office (R.S. 14:134)                      |
| (e) Issuing worthless checks<br>(R.S. 14:71)     |  |

GUY HOPKINS CONSTRUCTION CO., INC.

NAME OF BIDDER

H. GUY HOPKINS, III

NAME OF AUTHORIZED SIGNATORY OF BIDDER

12.9.11

DATE

PRESIDENT

TITLE OF AUTHORIZED SIGNATORY OF BIDDER



SIGNATURE OF AUTHORIZED  
SIGNATORY OF BIDDER

SECTION 00480

NON-COLLUSIVE AND NON-SOLICITATION AFFIDAVIT

STATE OF LOUISIANA

PARISH OF ST. CHARLES

H. GUY HOPKINS, III

, being first duly  
(Name of Authorized Representative of Bidder)

sworn, deposes and says that:

- (1) He is the PRESIDENT of  
(Owner, Partner, Officer, Representative or, Agent)  
GUY HOPKINS CONSTRUCTION CO., INC., the Bidder, and that  
(Name of Bidder)  
the Bidder has submitted the accompanying Bid for the construction of the above Contract,  
a public project of the Parish of St. Charles, Louisiana;
- (2) He is fully informed respecting the preparation and contents of the Bid and of all pertinent  
circumstances respecting the Bid;
- (3) The Bid is genuine and is not a collusive or sham Bid;
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives,  
employees, or parties in interest, including this affiant, have in any way colluded,  
conspired, connived, or agreed, directly or indirectly, with any other Bidder, firm, or person  
to submit a collusive or sham Bid in connection with the Contract or Work for which the  
attached Bid has been submitted; or to refrain from bidding in connection with such Work;  
or have in any manner, directly or indirectly, sought by agreement, collusion, commu-  
nication, or conference with any Bidder, firm, or person to fix the price or prices in the Bid  
or the Bid of any other Bidder; or to fix any overhead, profit, or cost elements of the Bid  
price or the Bid price of any other Bidder; or to secure through any collusion, conspiracy,  
connivance, or unlawful agreement any advantage against the Owner, or any person  
interested in the proposed Work;
- (5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any  
collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any

other of its agents, representatives, owners, employees, or parties in interest, including this affidavit;

- (6) That he has employed no one person, corporation, firm, association, or other organization, either directly or indirectly, to secure the public contract under which he is to receive payment, other than persons regularly employed by him whose services in connection with the construction of the public building or project or in securing the public contract were in the regular course of their duties for him; and that no part of the contract price to be received by him was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by him whose services in connection with the construction of the public building or project were in the regular course of their duties for him;
- (7) This affidavit is executed in compliance with the provisions of Louisiana Revised Statutes 38:2219.

Bidder GUY HOPKINS CONSTRUCTION CO. INC.

By *H. Guy Hopkins, IV*  
H. GUY HOPKINS, IV

Title PRESIDENT

Subscribed and sworn to before me

this 3<sup>rd</sup> day of December, 2011 at Baton Rouge, Louisiana

My commission expires \_\_\_\_\_

Judy Lessard, Notary Public #676  
Parish of East Baton Rouge  
State of Louisiana  
Commission Issued for Life

SEAL

END OF SECTION

SECTION 00430

QUESTIONNAIRE

The information defined herein shall be furnished by the Bidder as part of its Bid in accordance with Article 17 of the Instructions to Bidders (Section 00100). Separate Questionnaire to be submitted by each member of Joint Venture Bidders. The undersigned warrants the truth and accuracy of all statements and answers herein contained. Failure to complete the Questionnaire in each and every line item, and in its entirety shall render the Bidders proposal non-responsive. Include additional sheets if necessary.

1. Indicate how many years your organization has been in business as a General Contractor. 26

2. Describe and give the project name, contract number, completion date, Owner, address, and telephone number of the last project that you completed similar in type, size, and nature as the one proposed:

St. James East Bank WTP 9/11 St. James Par.  
Convent, La. 225 206 1629

3. Have you ever failed to complete a contract awarded to you? No. If so, describe where and why:

4. Describe in detail, any claims paid or received which occurred in the past five (5) years.

5. Name three contract Owners (individuals or corporations) for which you have performed work and to which you refer (with contact individuals, address and telephone numbers):

(1) St John Parish      Mike Carmouche

(2) St. James Parish      Jody Cheater

(3) EBK Parish

6. Have you personally inspected the site of the proposed Work? Yes. Describe any anticipated problems with the site and your proposed solutions:

None

7. Will you Subcontract any part of this Work? No. If so, describe which portions.

8. Identify your **subcontractors including license number** for the portions of the Work listed below. Additional information may be required in accordance with the Instructions to Bidders, Article 10.

STRUCTURAL: N/A

MECHANICAL: \_\_\_\_\_

HVAC: \_\_\_\_\_

ELECTRICAL: \_\_\_\_\_  
PLUMBING: \_\_\_\_\_  
PAVING: \_\_\_\_\_  
STRUCTURAL STEEL: \_\_\_\_\_  
GEOTECHNICAL: \_\_\_\_\_  
SURVEYING: \_\_\_\_\_  
DEWATERING: \_\_\_\_\_  
PAINTING: \_\_\_\_\_  
OTHER: \_\_\_\_\_

9. Identify all major equipment that you own that is available for the Work:

*Will Rent as needed*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Identify additional major equipment that you will purchase for the Work:

*See above*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Identify additional major equipment that you will rent for the Work:

*Cherry picker Forklift*  
*Air Compressor*

12. The following is given as a summary of the Financial Statement of the undersigned: (List Assets and Liabilities and use insert sheet if necessary.)

*Furnish upon request*

13. State the true and exact, correct, and complete name under which you do business. BIDDER IS:

**SOLE PROPRIETORSHIP**

\_\_\_\_\_(SEAL)  
(Individual's Signature)

\_\_\_\_\_  
(Individual's Name)

Doing business as \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

**A PARTNERSHIP**

(SEAL)

\_\_\_\_\_  
(Partnership Name)

\_\_\_\_\_  
(General Partner's Signature)

\_\_\_\_\_  
(General Partner's Name)

Business address: \_\_\_\_\_  
\_\_\_\_\_

Phone No.: \_\_\_\_\_

**A CORPORATION or LLC**

*Guy Hopkins Construction Co., Inc.*  
\_\_\_\_\_  
(Corporation Name)  
*La.*

\_\_\_\_\_  
(State of Incorporation)

By *H. Guy Hopkins*  
\_\_\_\_\_  
(Name of person authorized to sign)  
*President.*

\_\_\_\_\_  
(Title)

*H. Guy Hopkins*  
\_\_\_\_\_  
(Authorized Signature)

(Corporate Seal)

Attest

*M. Collette Lambert*

Business Address: \_\_\_\_\_

*M. Collette Lambert, Secretary*  
*13855 West Amber Ave*  
*Baton Rouge, La. 70809*

Phone No.: \_\_\_\_\_

*225 757 2158*

**A JOINT VENTURE**

By \_\_\_\_\_  
(Member's name)

Address \_\_\_\_\_

By \_\_\_\_\_  
(Member's Name)

Address \_\_\_\_\_

14. List the following in connection with the Surety which is providing the Bid Bond:

Surety's Name: Arch Insurance Company

Surety's Address: PO Box 14267

Baton Rouge, LA 70898

Name and address of Surety's resident agent for service of process in Louisiana:

Randolph A. Brunson

2151 Quail Run Drive, Suite A

Baton Rouge, LA 70808

END OF SECTION

SECTION 00410

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, Guy Hopkins  
Construction Co., Inc., as Principal (Bidder), and Arch Insurance Company as  
Surety, are hereby held and firmly bound unto the Parish of St. Charles as Owner, in the penal sum  
of five percent of the amount bid (5%) for the payment of which, well and truly to be made, we hereby  
jointly and severally bind ourselves, successors and assigns.

Signed, this 9th day of December, 2011.

The Condition of the above obligation is such that whereas the Principal has submitted to the Owner  
a certain Bid, attached hereto and hereby made a part hereof to enter into a contract in writing, for the  
Work specified in Contract No. WWKS68 for Upgrade to West Bank "B" Plant Filters.

**NOW THEREFORE,**

- (a) If said Bid shall be rejected, or in the alternate,
- (b) If said Bid shall be accepted and the Principal shall execute and deliver a Contract in the  
Form of Contract attached hereto (properly completed in accordance with said Bid) and  
shall furnish bonds for his faithful performance of said Contract and for furnishing  
materials in connection therewith and shall in all other respects perform the Agreement  
created by the acceptance of said Bid, then this obligation shall be void; otherwise the  
same shall remain in force and effect; it being expressly understood and agreed that the  
liability of the Surety for any and all claims hereunder shall, in no event, exceed the  
penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said  
Surety and its bond shall be in no way impaired or affected by any extension of the time  
within which the Owner may accept such Bid; and said Surety does hereby waive notice  
of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are Corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Principal (Bidder): Guy Hopkins Construction Co., Inc. Surety:

Arch Insurance Company

ADDRESS: 13855 W. Amber Dr.

ADDRESS: P.O. Box 14267

Baton Rouge, LA 70809

Baton Rouge, LA 70898

BY: H. Guy Hopkins, III (SEAL)

BY: Randolph A. Brunson (SEAL)

TITLE: President

TITLE: Attorney-In-Fact

SIGNATURE: H. Guy Hopkins III

SIGNATURE: Randolph A. Brunson

Countersigned by LA Resident Agent

Typed name: Randolph A. Brunson

Signature: Randolph A. Brunson

IMPORTANT - Surety companies executing bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in Louisiana, and the bond shall be countersigned by the resident agent domiciled in and who is licensed to do business in the State of Louisiana.

END OF SECTION

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON BLUE BACKGROUND.**

***This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Mortgage, Note, Loan, Letter of Credit, Bank Deposit, Currency Rate, Interest Rate or Residential Value Guarantees.***

**POWER OF ATTORNEY**

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Fiona J. Boyd and Randolph A. Brunson of Baton Rouge, LA (EACH)

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (\$90,000,000.00).

This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

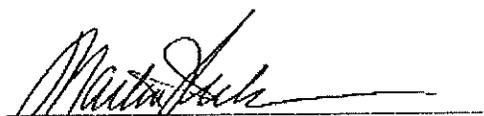
This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on September 15, 2011:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.

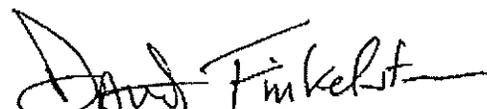
In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 18<sup>th</sup> day of November, 2011.

Attested and Certified

Arch Insurance Company

  
Martin J. Nilsen, Secretary

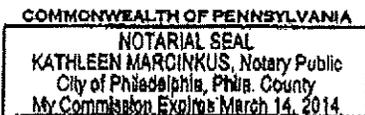


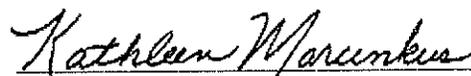
  
David M. Finkelstein, Executive Vice President

STATE OF PENNSYLVANIA SS

COUNTY OF PHILADELPHIA SS

I, Kathleen Marcinkus, a Notary Public, do hereby certify that Martin J. Nilsen and David M. Finkelstein personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.



  
Kathleen Marcinkus, Notary Public  
My commission expires 03/14/2014

CERTIFICATION

I, Martin J. Nilsen, Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated November 18, 2011 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said David M. Finkelstein, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 9<sup>th</sup> day of December, 20 11.

  
Martin J. Nilsen, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance – Surety Division  
3 Parkway, Suite 1500  
Philadelphia, PA 19102

