

Bond # _____

POWER OF ATTORNEY
HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY

Member companies of IAT Insurance Group, Headquartered: 702 Oberlin Road, Raleigh, North Carolina 27605

KNOW ALL MEN BY THESE PRESENTS: That **HARCO NATIONAL INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of Illinois, and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

DICK MINICK

Albuquerque, NM

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** and is granted under and by authority of the following resolution adopted by the Board of Directors of **INTERNATIONAL FIDELITY INSURANCE COMPANY** at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of **HARCO NATIONAL INSURANCE COMPANY** at a meeting held on the 13th day of December, 2018.

"**RESOLVED**, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** have each executed and attested these presents on this 31st day of December, 2018



STATE OF NEW JERSEY
County of Essex

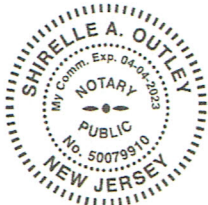
Kenneth Chapman

Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2018, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, June 25, 2020

Irene Martins, Assistant Secretary

SUBCONTRACTOR / MATERIAL LISTING

All Bidders shall comply with the New Mexico *Subcontractors Fair Practices Act*, NMSA 1988 §§ 13-4-31 through 13-4-44.

AQUATIC CONSULTANTS, INC. PLANTS, PLANT MATERIAL

SOUTHWEST LINER SYSTEMS, INC. LINER

TRINVEST FENCE, LLC FENCE

Section 6 Supplemental Bid Forms

SUPPLEMENTAL BID FORMS

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NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

STATE OF NEW MEXICO

COUNTY OF SANDOVAL

CYNTHIA LONGLEY being first duly sworn, deposes and says that:

- (1) The undersigned is the PRESIDENT of CBKN DIRTWORKS, Inc the Bidder that has submitted the attached Bid Proposal;
- (2) The undersigned is fully informed respecting the preparation and contents of the attached Bid Proposal and of all pertinent circumstances respecting such bid;
- (3) Such 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 affidavit, has 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 for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Contracting Agency or any person interested in the proposed Contract; and
- (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 of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

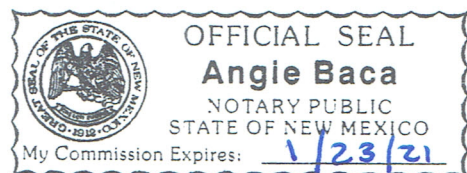
(SIGNED) Cynthia Longley

TITLE President

SUBSCRIBED AND SWORN to before me this 25th day of June 2020.

Angie Baca
NOTARY PUBLIC

My Commission Expires 1/23/21



SUBCONTRACTS

- A. Contractor shall not execute an agreement with any subcontractor or permit any subcontractor to perform any work included in this contract until Contractor has submitted a Non-Collusion Affidavit from the Subcontractor, which is in substantially the form that follows page 6-5 and has received written approval of such Subcontractor from the Owner.
- B. No proposed Subcontractor shall be disapproved by the Owner except for cause.
- C. Contractor shall be as fully responsible to the Owner for the acts and omissions of the Subcontractors and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons directly employed by Contractor.
- D. Contractor shall cause appropriate provision to be inserted in all subcontracts relative to the work to require compliance by each Subcontractor with the applicable provisions of the Contract for the improvements embraced.
- E. Nothing contained in the Contract shall create any contractual relationship between any Subcontractor and the Owner.

NON-COLLUSION AFFIDAVIT OF SUBCONTRACTOR

STATE OF NEW MEXICO

COUNTY OF Bernalillo

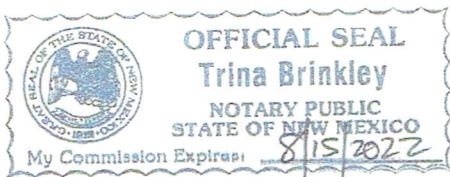
Lisa Cassidy being first duly sworn, deposes and says that:

- (1) The undersigned is the Vice President of Aquatic Consultants, Inc hereinafter referred to as "Subcontractor".
- (2) The undersigned is fully informed respecting the preparation and contents of the Subcontractor's proposal submitted by Subcontractor to CBKW Dirtworks Inc Contractor, for certain work in connection with the BuRRT Wetland Liner Replacement contract pertaining to the project in Santa Fe, NM.
- (3) Such Subcontractors proposal is genuine and is not a collusive or sham proposal.
- (4) Neither Subcontractor nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, has 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 for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Contracting Agency or any person interested in the proposed Contract; and
- (5) The price or prices quoted in Subcontractor's proposal are fair and proper and are, not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

(SIGNED) Lisa Cassidy

(PRINT NAME) Lisa Cassidy

TITLE Vice President



SUBSCRIBED AND SWORN to before me this 24th day of June 2020.

[Signature]
NOTARY PUBLIC

My Commission Expires August 15, 2022

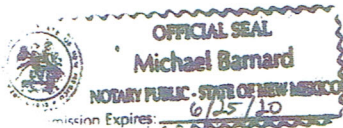
NON-COLLUSION AFFIDAVIT OF SUBCONTRACTOR

STATE OF NEW MEXICO

COUNTY OF Sandoval

Juan Zarpe being first duly sworn, deposes and says that:

- (1) The undersigned is the Treasurer of Southwest Liner Systems hereinafter referred to as "Subcontractor".
- (2) The undersigned is fully informed respecting the preparation and contents of the Subcontractor's proposal submitted by Subcontractor to Buckman Road Recycling Contractor, for certain work in connection with the BuRRT Wetland Liner contract pertaining to the Santa Fe, New Mexico project in Santa Fe, New Mexico.
- (3) Such Subcontractors proposal is genuine and is not a collusive or sham proposal.
- (4) Neither Subcontractor nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, has 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 for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Contracting Agency or any person interested in the proposed Contract; and
- (5) The price or prices quoted in Subcontractor's proposal are fair and proper and are, not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.



(SIGNED) Juan Zarpe

(PRINT NAME) Juan Zarpe

TITLE Treasurer

SUBSCRIBED AND SWORN to before me this 24th day of June 2020.

[Signature]
NOTARY PUBLIC

My Commission Expires 6/25/20

NON-COLLUSION AFFIDAVIT OF SUBCONTRACTOR

STATE OF NEW MEXICO

COUNTY OF Sandoval

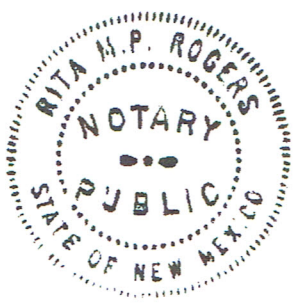
Rhonda Thomas being first duly sworn, deposes and says that:

- (1) The undersigned is the CFO of TriWest Fence LLC, hereinafter referred to as "Subcontractor".
- (2) The undersigned is fully informed respecting the preparation and contents of the Subcontractor's proposal submitted by Subcontractor to CBKN, Contractor, for certain work in connection with the BuRRT contract pertaining to the Santa Fe, NM project in Santa Fe, NM.
- (3) Such Subcontractors proposal is genuine and is not a collusive or sham proposal.
- (4) Neither Subcontractor nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, has 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 for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Contracting Agency or any person interested in the proposed Contract; and
- (5) The price or prices quoted in Subcontractor's proposal are fair and proper and are, not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

(SIGNED) Rhonda Thomas

(PRINT NAME) Rhonda Thomas

TITLE CFO/COO



SUBSCRIBED AND SWORN to before me this 25th day of June 2020.

Rita M P Rogers
NOTARY PUBLIC

My Commission Expires 12-16-2022

CERTIFICATION OF NON-SEGREGATED FACILITIES

(Applicable to construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity Clause).

The construction Contractor certifies that Contractor does not maintain or provide for its employees any segregated facilities at any of its establishments and does not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The construction Contractor certifies further that Contractor will not maintain or provide for its employees any segregated facilities at any of its establishments, and that Contractor will not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The construction Contractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this contract. As used in this certification, the term "segregated facilities" means any waiting room, work areas, restrooms and washrooms, restaurants and other eating areas, time clock, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreating or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. The construction Contractor agrees that (except where Contractor has obtained identical certifications from proposed subcontractors for specific time periods) Contractor will obtain identical certifications from proposed SUBCONTRACTORS prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause and that Contractor will retain such certifications in its files.

(SIGNED) Cynthia Langley

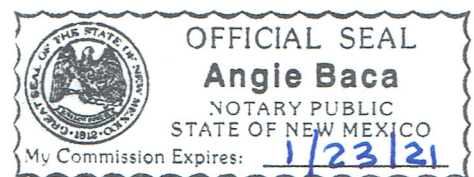
PRINT NAME Cynthia Langley

TITLE President

SUBSCRIBED AND SWORN to before me this 25th day of June 2020.

Angie Baca
NOTARY PUBLIC

My Commission Expires 1/23/21



**CERTIFICATION OF BIDDER REGARDING
EQUAL EMPLOYMENT OPPORTUNITY
INSTRUCTIONS**

This certification is required pursuant to Executive Order 11246 (30 F. R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract or subcontract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven (7) calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION OF BIDDER

Bidder's Name: CIBKN DIRTWORKS, INC.

Address: 654 FRONTAGE ROAD
ALGODONES, N.M. 87001

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.
Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract.
Yes No

Certification: The information above is true and complete to the best of my knowledge and belief.

Cynthia Longley President
NAME AND TITLE OF SIGNER (PLEASE TYPE)

Cynthia Longley
SIGNATURE

6-24-20
DATE

**CERTIFICATION OF SUBCONTRACTOR REGARDING
EQUAL EMPLOYMENT OPPORTUNITY
INSTRUCTIONS**

This certification is required pursuant to Executive Order 11246 (30 F. R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract or subcontract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven (7) calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION OF SUBCONTRACTOR

Subcontractor's Name: Aquatic Consultants, Inc.

Address: 4421 IRVING Blvd NW
Albuquerque, NM 87114

1. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.
Yes _____ No X
2. Compliance reports were required to be filed in connection with such contract or subcontract.
Yes _____ No X

Certification: The information above is true and complete to the best of my knowledge and belief.

Lisa Cassidy, VP
NAME AND TITLE OF SIGNER (PLEASE TYPE)

Lisa Cassidy
SIGNATURE

6/24/20
DATE

**CERTIFICATION OF SUBCONTRACTOR REGARDING
EQUAL EMPLOYMENT OPPORTUNITY
INSTRUCTIONS**

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Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven (7) calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION OF SUBCONTRACTOR

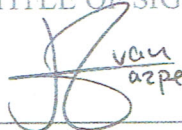
Subcontractor's Name: Southwest Liner Systems, Inc.

Address: 301 Calle Industrial
Bernalillo, NM 87004

1. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.
Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract.
Yes No

Certification: The information above is true and complete to the best of my knowledge and belief.

Juan Zazpe Treasurer
NAME AND TITLE OF SIGNER (PLEASE TYPE)


SIGNATURE

6-24-2020
DATE

**CERTIFICATION OF SUBCONTRACTOR REGARDING
EQUAL EMPLOYMENT OPPORTUNITY**

INSTRUCTIONS

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Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven (7) calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION OF SUBCONTRACTOR

Subcontractor's Name: TriWest Fence LLC

Address: 110 Denny Rd

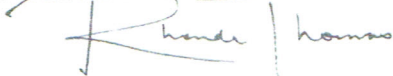
Bernalillo, NM 87004

1. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.
Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract.
Yes No

Certification: The information above is true and complete to the best of my knowledge and belief.

Rhonda Thomas, CFO/COO

NAME AND TITLE OF SIGNER (PLEASE TYPE)



SIGNATURE

06/24/2020

DATE

STATE OF NEW MEXICO

TAXATION AND REVENUE DEPARTMENT

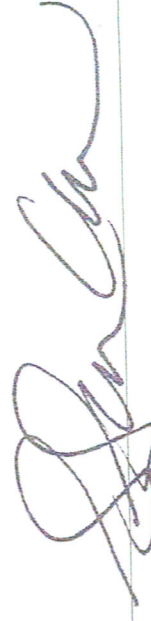
RESIDENT CONTRACTOR CERTIFICATE

Issued to: **CBKN DIRTWORKS, INC.**
DBA: **CBKN DIRTWORKS, INC.**
654 FRONTAGE RD
ALGODONES, NM 87001-8058

Expires: **14-Aug-2022**

Certificate Number:

L0398990512



Stephanie Schardin Clarke
Cabinet Secretary

THIS CERTIFICATE IS NOT TRANSFERABLE