



RSB Group, Inc.

Contractor License#: 773526 Class A & B
20331 Lake Forest Dr., Suite #C-13 Lake Forest, CA 92630
Office#: 949.454.1999 Fax#: 949.454.1888
Email: admin@rsbgroup.occoxmail.com

6/15/16

VIA FACSIMILE (916)227-6282 &U.S. MAIL ONLY

Jill Y. Sewell, Office Chief
State of California Dept. of Transportation
Division of Engineering Services
1727 30th St. Sacramento, CA 95816

Reference: Bid Protest on Contract number 08-0R4404 Vegetation Control

Dear Ms. Jill Sewell,

To follow up on previous letter provided by our attorney, Brian Case of Case, Ibrahim & Clauss, LLP, attached please find two contracts that were awarded to CL Coatings, Inc. DBA CL Industrial Coatings, Inc. as recent as June, 30th, 2015 by Caltrans that used the same Bid Bond form /Language as our bid bond.

Attached you will find the query search results for the two contracts that were awarded to CL Coatings, Inc. including the Award status printouts, the cover page of the bid documents, and copies of the bid bonds that were used in bidding each contract. All documents were downloaded from the Caltrans website.

Attachment:

- Bid documents Contract # 07-1W2404
- Bid documents Contract # 07-275704

Regards,
Ramak "Simon" Sepehri
President

CALIFORNIA DEPARTMENT OF TRANSPORTATION



[Caltrans](#) > [Engineering](#) > Office Engineer

Awarded Contracts

Enter district or contract number: *Example: 08- or 04-1234u4*

Enter Bid Open Date: *Example: 2008-07-21*

Enter Award Date: *Example: 2008-07-21*

Enter Contractor Name: *Partial names allowed*

Search by type of work: *Single word or phrase*

2 records found

Contract Number: 07-1W2404
Bid Opening Date: 2015-04-01
Advertising Date: 2015-03-02
Award Date: 2015-08-30
Contractor: CL COATINGS, INC. DBA CL INDUSTRIAL COATINGS, INC.
Phone number: (562)305-1520
Bid Amount: \$16,801,000.00
Project Location: 07-LA-5-20.3
Type of Work: Paint Bridge

Contract Number: 07-275704
Bid Opening Date: 2014-10-09
Advertising Date: 2014-09-15
Award Date: 2014-11-05
Contractor: CL INDUSTRIAL COATINGS INC
Phone number: (562)305-1520
Bid Amount: \$3,248,890.00
Project Location: 07-LA-103-0.1
Type of Work:

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Copyright © 2007 State of California

Home → Contract Awards and Services → Contract Awards Status Result

Award status for 07-1W2404

Bid opening date: 04/01/2015

Processing award for		CL COATINGS, INC. DBA CL INDUSTRIAL COATINGS, INC.		
Award recommendation	Requested	04/01/2015	Received	04/06/2015
Civil rights evaluation	Requested	04/09/2015	Received	06/17/2015
Funding certification	Requested	04/05/2015	Received	06/30/2015
READY FOR AWARD	Award date	06/30/2015	Approval date	07/15/2015

A note on the Caltrans award process:

We have several major milestones we process when preparing a project for award.

- **Bid opening:** This is the event that triggers the award process. Once a bid has opened, we immediately begin looking at the results to process the contract award.
- **Award recommendation:** The district responsible for designing the project will take a look at all the bids submitted and determine whether or not it is in the department's best interest to award the contract, by taking a look at the item prices submitted and the working schedule, if necessary. This can involve calls to the bidders to determine if there were any problems with bids or the contract itself.
- **Civil rights evaluation:** Our Office of Business and Economic Opportunity reviews the UDBE or DVBE submittals on all projects to determine if the project goals have been achieved, or if a good faith effort has been obtained.
- **Funding certification:** Once we have determined a low bidder, we begin an analysis that determines how much of the allocated funding will need to be used to award the contract, and in the case of projects where funding has multiple fund sources, we determine what portion of each allocation will go toward paying for construction.

Once all milestones have been achieved for the bidder we are processing the award for, the contract will be ready to award. We will proceed with the contract award and contract approval. In the event that there is a re-ranking of bidders, both the funding certification and civil rights evaluation will need to be re-processed for the new bidder.

[Home](#) → [Construction Contract Awards](#) → [Project Bucket](#)

Project Bucket Result for 07-1W2404

[Search again](#)

[07-1W2404](#) | [List of Bid Items](#) | [Bid Summaries](#) | [Post-bid File](#) | [Award Status](#) | [11 bidder inquiries](#) | [Contract Plans and Special Provisions](#) | [See addenda \(1\)](#)

[Blast And Paint The Existing Bridge.](#)

[07-LA-5-20.3](#) * [Date Advertised 03/02/2015](#)

[Bids Opening in "Sacramento"](#) * [Bids Open 04/01/2015](#)

[Date Awarded 06/30/2015](#)

[Estimate: \\$17,000,000](#)

[In Los Angeles County In Los Angeles At Elysian Viaduct](#)

[The Contractor must have either a Class A license or one of the following Class C licenses: C-33.](#)

[765 Working Days](#) * [4% DBE Requirement](#) *

[Subs/Suppliers: Opt In](#) | [9 prime contractors looking for help](#) | [Primes: Advertise for help](#) | [See 14 opt-in records](#)

[See Non-Bidding Planholders](#) | [See Bidding Planholders](#)

A-5

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

CONSTRUCTION ON STATE HIGHWAY IN
LOS ANGELES COUNTY IN LOS ANGELES AT ELYSIAN VIADUCT
In District 07 on Route 5

UNDER

Notice to Bidders and Special Provisions dated March 2, 2015
Project plans approved November 17, 2014
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 07-1W2404

07-LA-5-20.3

Project ID 0700021166

FEDERAL-AID PROJECT
ACNHPX-000-5(107)E

Bids open Wednesday, April 1, 2015

Dated March 2, 2015

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
 Contract No.: 07-1W2404 Project ID: 0700021166
 Bidder Name: CL Coatings, Inc. dba CL Industrial Coat Bidder ID: VC1500000527
 BID TO THE DEPARTMENT OF TRANSPORTATION
 DES-OE-0102.1

Name of Bidder CL Coatings, Inc. dba CL Industrial Coatings, Inc.
 Business Street Address 11650 Western Ave.
 (Include even if P.O. Box is used)
 Business P.O. Box
 City, State, Zip Stanton, ca, 90680
 Telephone No: AREA CODE 562-305-1520
 Fax No: AREA CODE 714-892-7691
 Contractor License No. 936172
 California Department of Industrial Relations' Registration No. 1000005365
 Checksum 55CF7C4B

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. Bidder has and acknowledges the following addenda:
 - 03-11-15 Revise Notice to Bidders and Special Provisions, Bid Book,
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

PRINTED NAME: Rick Suttles AND
 TITLE OF PERSON SIGNING: Project Manager/Estimator

BY (Authorized signature)

DATE SIGNED(Do not type)

04-01-15A11:41 RCVD

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE CL Coatings, Inc. dba CL Industrial Coatings, Inc.

8450 W. 191st Street, Mokena, IL 60448

as Principal, hereinafter called the Principal, and Atlantic Specialty Insurance Company

150 Royall Street, Canton, MA 02021-1030

a corporation duly organized under the laws of the State of NY

as Surety, hereinafter called the Surety, are held and firmly bound unto State of California Department of Transportation

1727 30th Street, Bidders Exchange, MS 26, Sacramento, CA 95816

as Obligor, hereinafter called the Obligor, in the sum of Ten Percent of Amount Bid

Dollars (\$ 10%),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Spot Blast and Paint Steel Structure - Construction on State Highway In L.A. County in L.A. at Elysian Viaduct

NOW, THEREFORE, if the Obligor shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligor in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligor the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligor 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.

Signed and sealed this 1st day of April, 2015

Amen A. Memalon
(Witness)

CL Coatings, Inc. dba CL Industrial Coatings, Inc.
(Principal) (Seal)
By: [Signature] President (Title)

Kimberly Bragg
(Witness)



Atlantic Specialty Insurance Company
(Surety) (Seal)
By: [Signature] Attorney-in-Fact (Title)



04-01-15A11:41 RCVD

Power of Attorney

Surety Bond No: Bld Bond

Principal: CL Contract, Inc. dba CL Industrial Contract, Inc.

Obligor: State of California Department of Transportation

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Minneapolis, Minnesota, does hereby constitute and appoint Ilia Delman, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: fifty million dollars (\$50,000,000) and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (such an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time revoke any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal when so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

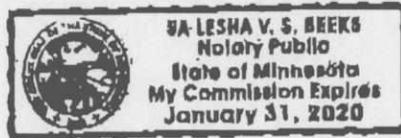
IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this eighth day of December, 2014.



By [Signature] Paul J. Brehan, Senior Vice President

STATE OF MINNESOTA HENNINGEN COUNTY

On this eighth day of December, 2014, before me personally came Paul J. Brehan, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



[Signature] Ja-Lesha V. S. Breks Notary Public

I, the undersigned, Assistant Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 1st day of April, 2015.



[Signature] James G. Jordan, Assistant Secretary

Home → Contract Awards and Services → **Contract Awards Status Result**

Award status for 07-275704

Bid opening date: 10/09/2014

Processing award for		CL INDUSTRIAL COATINGS INC		
Award recommendation	Requested	10/09/2014	Received	11/04/2014
Civil rights evaluation	Requested	10/20/2014	Received	10/28/2014
Funding certification	Requested	10/13/2014	Received	11/05/2014
READY FOR AWARD	Award date	11/05/2014	Approval date	11/24/2014

A note on the Caltrans award process:

We have several major milestones we process when preparing a project for award.

- **Bid opening:** This is the event that triggers the award process. Once a bid has opened, we immediately begin looking at the results to process the contract award.
- **Award recommendation:** The district responsible for designing the project will take a look at all the bids submitted and determine whether or not it is in the department's best interest to award the contract, by taking a look at the item prices submitted and the working schedule, if necessary. This can involve calls to the bidders to determine if there were any problems with bids or the contract itself.
- **Civil rights evaluation:** Our Office of Business and Economic Opportunity reviews the UDBE or DVBE submittals on all projects to determine if the project goals have been achieved, or if a good faith effort has been obtained.
- **Funding certification:** Once we have determined a low bidder, we begin an analysis that determines how much of the allocated funding will need to be used to award the contract, and in the case of projects where funding has multiple fund sources, we determine what portion of each allocation will go toward paying for construction.

Once all milestones have been achieved for the bidder we are processing the award for, the contract will be ready to award. We will proceed with the contract award and contract approval. In the event that there is a re-ranking of bidders, both the funding certification and civil rights evaluation will need to be re-processed for the new bidder.

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Project Bucket Result for 07-275704

Search again

07-275704 | [List of Bid Items](#) | [Bid Summaries](#) | [Post-bid File](#) | [Award Status](#) | [13 bidder inquiries](#) | [Contract Plans and Special Provisions](#)

[Paint Steel Structure.](#)

[07-LA-103-0.1 * Date Advertised 09/15/2014](#)

[Bids Opening in Sacramento * Bids Open 10/09/2014](#)

[Date Awarded 11/05/2014](#)

[Estimate: \\$5,100,000](#)

[In Los Angeles County In Los Angeles At Union Pacific Overhead](#)

[The Contractor must have either a Class A license or one of the following Class C licenses: C-33.](#)

[285 Working Days * 2% DBE Requirement *](#)

[Subs/Suppliers: Opt In | 7 prime contractors looking for help | Primes: Advertise for help | See 16 opt-in records](#)

[See Non-Bidding Planholders | See Bidding Planholders](#)

7 B6

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

CONSTRUCTION ON STATE HIGHWAY IN
LOS ANGELES COUNTY IN LOS ANGELES AT UNION PACIFIC OVERHEAD
In District 07 on Route 103

UNDER

Notice to Bidders and Special Provisions dated September 15, 2014
Project plans approved May 5, 2014
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 07-275704

07-LA-103-0.1

Project ID 0700000522

FEDERAL-AID PROJECT
ACSTP-P103(003)E

Bids open Thursday, October 9, 2014

Dated September 15, 2014

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 07-275704 Project ID: 0700000522

Bidder Name: CL Coatings, Inc. dba CL Industrial Coat Bidder ID: VC1500000527

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

Name of Bidder CL Coatings, Inc. dba CL Industrial Coatings, Inc.

Business Street Address 11650 Western Ave.

(Include even if P.O. Box is used)

Business P.O. Box

City, State, Zip Stanton, ca, 90680

Telephone No: AREA CODE 562-305-1520

Fax No: AREA CODE 714-892-7691

Contractor License No. 936172

Checksum 154DEC8B

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. Bidder has and acknowledges the following addenda: 0

3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond

4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 4.1 Criminal prosecution
- 4.2 Rejection of the bid
- 4.3 Rescission of the award
- 4.4 Termination of the Contract

PRINTED NAME: Rick Suttles AND
TITLE OF PERSON SIGNING: Project Manager

BY (Authorized signature)

DATE SIGNED (Do not type)

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE CL Coatings, LLC

8450 W. 191st Street, Mokena, IL 60448

as Principal, hereinafter called the Principal, and Argonaut Insurance Company

P.O. BOX 469011, San Antonio, TX 78248

a corporation duly organized under the laws of the State of IL

as Surety, hereinafter called the Surety, are held and firmly bound unto State of California Department of Transportation

1727 30th Street, Bidders Exchange, MS 28, Sacramento, CA 95816

as Obligee, hereinafter called the Obligee, in the sum of Ten Percent of Amount Bid

Dollars (\$ 10%),

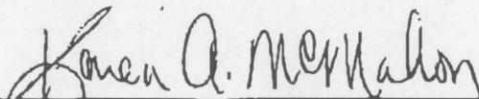
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Paint Steel Structure - Construction on State Highway In L.A. County

In L.A. At Union Pacific Overhead

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee 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.

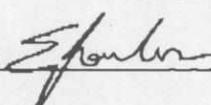
Signed and sealed this 9th day of October, 2014

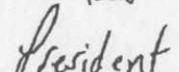

(Witness)

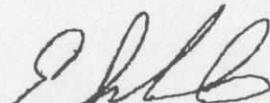
CL Coatings, LLC

(Principal)

(Seal)

By: 


President
(Title)


Elizabeth A. Arehart
(Witness)

Argonaut Insurance Company

(Surety)

(Seal)

By: 

Attorney-in-Fact Ila Delman

(Title)

10-09-14A10:05 RCV0

AS-0071706

Argonaut Insurance Company
Deliveries Only: 225 W. Washington, 24th Floor
Chicago, IL 60606
United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Mark Y. Bacchie, Gregory A. Field, Kimberly Bruce, Jia Delmon, Mary Ann Powell, Elizabeth Archer

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$40,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 18th day of July, 2013.

Argonaut Insurance Company



by: _____

Joshua C. Betz, Senior Vice President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 18th day of July, 2013 A.D. I, _____, Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.

ARGO POWER OF ATTORNEY



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 9th day of OCTOBER 2014



Sarah Heimann, VP-Underwriting Surety