

LOUISIANA UNIFORM PUBLIC WORK BID FORM

TO: Jefferson Parish
Attn.: Purchasing Department
200 Derbigny St., Suite 4400
Gretna, Louisiana 70053

BID FOR: New Walking Trail @ Bellemeade Blvd.
617 Bellemeade Blvd, Gretna, La 70056

Proposal No: 50-00112529

(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: Burgdahl & Graves AIA Architects and dated: 6 February 2015.

(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) March 19, 2015 Addendum No. 1

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:

Four hundred thirty three thousand, two hundred dollars and 50 cents Dollars (\$ 433,200.00)

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 lump sum of:

N/A Dollars (\$ )

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

N/A Dollars (\$ )

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

N/A Dollars (\$ )

NAME OF BIDDER: LLJ Environmental Construction LLC

ADDRESS OF BIDDER: 1909 Industrial Blvd
Harvey, LA 70058

LOUISIANA CONTRACTOR'S LICENSE NUMBER: 60059

NAME OF AUTHORIZED SIGNATORY OF BIDDER: Lance Berozech

TITLE OF AUTHORIZED SIGNATORY OF BIDDER: Vice President

SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER \*\*: [Signature]

DATE: March 31, 2015

\* 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.

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned,

LLJ Environmental Construction, L.L.C.

as PRINCIPAL, AND  
Ironshore Indemnity, Inc.

as SURETY, are held and firmly bound unto the Jefferson Parish Council, Jefferson Parish,  
Louisiana, as OWNER in the penal sum of:

Five Percent (5%) of the Amount Bid \_\_\_\_\_ DOLLARS (\$ 5% )

for the payment of which, well and truly to be made, we hereby jointly and severally bid  
ourselves, successors and assigns.

The condition of the above obligation is such that whereas the Principal has submitted to the  
Parish of Jefferson, Louisiana a certain Bid, attached hereto and hereby made a part hereof to  
enter into a contract in writing, for the

New Walking Trail at Bellemeade Blvd., 617 Bellemeade Blvd., Gretna, LA 70056

in Jefferson Parish, Project No. \_\_\_\_\_, Proposal No. 50-00112529

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 a bond for his faithful performance of said contract, and for the payment of  
all persons performing labor or 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 for 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 an extension of the time within the  
Owner MAY accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the above bounded parties have executed this instrument under their  
several seals this 31st day March, 20 15, the name and corporate seal of each corporate  
party being hereto affixed and these presents signed by its undersigned representative, pursuant  
to authority of its governing body.

**BID BOND (Continued)**

**In Presence of:**

\_\_\_\_\_  
(Individual Principal)

\_\_\_\_\_  
(Business Address, including Zip Code)

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

\_\_\_\_\_  
(SEAL)

ATTEST: \_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_  
LLJ Environmental Construction, L.L.C.  
(Corporate Principal)

1909 Industrial Blvd., Harvey, LA 70058

\_\_\_\_\_  
(Business Address, including Zip Code)

BY: \_\_\_\_\_

*[Signature]*  
AFFIX CORPORATE SEAL  
*Lance Benzecrue Vice President*

ATTEST: \_\_\_\_\_

See Attached Power of Attorney

\_\_\_\_\_  
Ironshore Indemnity, Inc.

(Corporate Surety)

P. O. Box 3407, New York, NY 10008

\_\_\_\_\_  
(Business Address, including Zip Code)

BY: \_\_\_\_\_

*[Signature]*  
AFFIX CORPORATE SEAL  
William H. Ellsworth, Attorney-in-Fact

Countersigned:

BY: \_\_\_\_\_

*[Signature]*  
Attorney-in-Fact  
William H. Ellsworth

STATE OF Louisiana

POWER OF ATTORNEY

III- 34000019

Ironshore Indemnity Inc.

KNOW ALL MEN BY THESE PRESENTS, that IRONSHORE INDEMNITY INC., a Minnesota Corporation, with its principal office in New York, NY does hereby constitute and appoint: William H. Ellsworth, Catherine R. Froeba, Jack T. Landry, Edwin O. Schlesinger, and Elliott W. Wolffe its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of IRONSHORE INDEMNITY INC. on the 22<sup>nd</sup> day of April, 2013 as follows:

Resolved, that the Director of the Company is hereby authorized to appoint and empower any representative of the company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$7,500,000 dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the Director and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, IRONSHORE INDEMNITY INC. has caused this instrument to be signed by its Director, and its Corporate Seal to be affixed this 2<sup>nd</sup> day of July, 2013.

IRONSHORE INDEMNITY INC.



By: [Signature]  
Daniel L. Sussman  
Director

ACKNOWLEDGEMENT

On this 2<sup>nd</sup> day of July, 2013, before me, personally came Daniel L. Sussman to me known, who being duly sworn, did depose and say that he is the Director of Ironshore Indemnity Inc., the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

AMY L. TAYLOR  
Notary Public- State of Tennessee  
Davidson County  
My Commission Expires 01-09-16



[Signature]  
Amy L. Taylor  
Notary Public

CERTIFICATE

I, the undersigned, Secretary of IRONSHORE INDEMNITY INC., a Minnesota Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at this 31st Day of MARCH, 20 15.



[Signature]  
Paul S. Giordano  
Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Public Works Bid

AFFIDAVIT

STATE OF Louisiana

PARISH/COUNTY OF Jefferson

BEFORE ME, the undersigned authority, personally came and appeared: Lance Benzoch, (Affiant) who after being by me duly sworn, deposed and said that he/she is the fully authorized Vice President of WT Environmental Construction (Entity), the party who submitted a bid in response to Bid Number 50-00112-529, to the Parish of Jefferson.

Affiant further said:

Campaign Contribution Disclosures

**(Choose A or B, if option A is indicated please include the required attachment):**

Choice A \_\_\_\_\_ Attached hereto is a list of all campaign contributions, including the date and amount of each contribution, made to current or former elected officials of the Parish of Jefferson by Entity, Affiant, and/or officers, directors and owners, including employees, owning 25% or more of the Entity during the two-year period immediately preceding the date of this affidavit or the current term of the elected official, whichever is greater. Further, Entity, Affiant, and/or Entity Owners have not made any contributions to or in support of current or former members of the Jefferson Parish Council or the Jefferson Parish President through or in the name of another person or legal entity, either directly or indirectly.

Choice B  There are **NO** campaign contributions made which would require disclosure under Choice A of this section.

Affiant further said:

Debt Disclosures

**(Choose A or B, if option A is indicated please include the required attachment):**

**Choice A** \_\_\_\_\_ Attached hereto is a list of all debts owed by the affiant to any elected or appointed official of the Parish of Jefferson, and any and all debts owed by any elected or appointed official of the parish to the Affiant.

**Choice B**  There are **NO** debts which would require disclosure under Choice A of this section.

Affiant further said:

That Affiant has employed no person, corporation, firm, association, or other organization, either directly or indirectly, to secure the public contract under which he received payment, other than persons regularly employed by the Affiant whose services in connection with the construction, alteration or demolition of the public building or project or in securing the public contract were in the regular course of their duties for Affiant; and

That no part of the contract price received by Affiant 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 the Affiant whose services in connection with the construction, alteration or demolition of the public building or project were in the regular course of their duties for Affiant.

Affiant further said:

Affiant personally has not been convicted of, nor has he/she entered into a plea of guilty or nolo contendere to any of the crimes or equivalent federal crimes listed below. No individual partner, incorporator, director, manager, officer, organizer, or member, who has a minimum of a ten percent ownership in the Bidding Entity, has been convicted of, or has entered a plea of guilty or nolo contendere to any of the crimes or equivalent federal crimes listed below. A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall permanently bar any person or the bidding entity from bidding on public projects:

- (a) Public bribery (R.S. 14:118)
- (b) Corrupt influencing (R.S. 14:120)
- (c) Extortion (R.S. 14:66)
- (d) Money laundering (R.S. 14:230)

A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall bar any person or the bidding entity from bidding on public projects for a period of five years from the date of conviction or from the date of the entrance of the plea of guilty or nolo contendere:

- (a) Theft (R.S. 14:67)
- (b) Identity Theft (R.S. 14:67, 16)
- (c) Theft of a business record (R.S. 14:67.20)
- (d) False accounting (R.S. 14:70)
- (e) Issuing worthless checks (R.S. 14:71)
- (f) Bank fraud (R.S. 14:71.1)
- (g) Forgery (R.S. 14:72)
- (h) Contractors; misapplication of payments (R.S. 14:202)
- (i) Malfeasance in office (R.S. 14:134)

The five-year prohibition provided for in this section shall apply only if the crime was committed during the solicitation or execution of a contract or bid awarded pursuant to these provisions. If evidence is submitted substantiating that a false attestation has been made and the project must be readvertised or the contract cancelled, the awarded entity making the false attestation shall be responsible to the public entity for the costs of rebidding, additional costs due to increased costs of bids and any and all delay costs due to the rebid or cancellation of this project.

*[The remainder of this page is intentionally left blank.]*

Affiant further said:

- (1) Entity is registered and participates in a status verification system to verify that all employees in the State of Louisiana are legal citizens of the United States or are legal aliens.
- (2) Entity shall continue, during the term of the contract, to utilize a status verification system to verify the legal status of all new employees in the State of Louisiana.
- (3) Entity shall require all subcontractors to submit to the Entity a sworn affidavit verifying compliance with statements (1) and (2).

  
Signature of Affiant

Lance Benezed  
Printed Name of Affiant

SWORN AND SUBSCRIBED TO BEFORE ME  
ON THE 31 DAY OF March, 2015.

Vicky L Pollard  
Notary Public

Vicky L Pollard  
Printed Name of Notary

Bar# 24606  
Notary/Bar Roll Number

My commission expires Death.



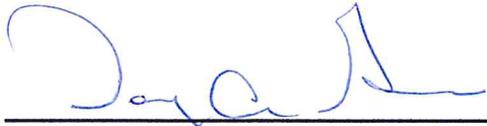
**CORPORATE RESOLUTION**

EXCERPT FROM MINUTES OF MEETING OF THE BOARD OF DIRECTORS OF  
LLJ Environmental Construction LLC  
INCORPORATED.

AT THE MEETING OF DIRECTORS OF LLJ Environmental Construction LLC  
INCORPORATED, DULY NOTICED AND HELD ON \_\_\_\_\_,  
A QUORUM BEING THERE PRESENT, ON MOTION DULY MADE AND SECONDED. IT WAS:

RESOLVED. THAT Lance Bowzeel, BE AND IS HEREBY  
APPOINTED, CONSTITUTED AND DESIGNATED AS AGENT AND ATTORNEY-IN-FACT OF  
THE CORPORATION WITH FULL POWER AND AUTHORITY TO ACT ON BEHALF OF THIS  
CORPORATION IN ALL NEGOTIATIONS, BIDDING, CONCERNS AND TRANSACTIONS WITH  
THE PARISH OF JEFFERSON OR ANY OF ITS AGENCIES, DEPARTMENTS, EMPLOYEES OR  
AGENTS, INCLUDING BUT NOT LIMITED TO, THE EXECUTION OF ALL BIDS, PAPERS,  
DOCUMENTS, AFFIDAVITS, BONDS, SURETIES, CONTRACTS AND ACTS AND TO RECEIVE  
AND RECEIPT THEREFOR ALL PURCHASE ORDERS AND NOTICES ISSUED PURSUANT TO  
THE PROVISIONS OF ANY SUCH BID OR CONTRACT, THIS CORPORATION HEREBY  
RATIFYING, APPROVING, CONFIRMING, AND ACCEPTING EACH AND EVERY SUCH ACT  
PERFORMED BY SAID AGENT AND ATTORNEY-IN-FACT.

I HEREBY CERTIFY THE FOREGOING TO  
BE A TRUE AND CORRECT COPY OF AN  
EXCERPT OF THE MINUTES OF THE  
ABOVE DATED MEETING OF THE  
BOARD OF DIRECTORS OF SAID  
CORPORATION, AND THE SAME HAS  
NOT BEEN REVOKED OR RESCINDED.

  
\_\_\_\_\_  
**SECRETARY-TREASURER**

March 30, 2015  
\_\_\_\_\_  
**DATE**

**CORPORATE/LIMITED LIABILITY COMPANY RESOLUTION  
OF  
LLJ ENVIRONMENTAL CONSTRUCTION, L.L.C.**

Marrero, Louisiana

Date: August 1, 2014

The undersigned, being all of the members and managing members of LLJ Environmental Construction, L.L.C., a Louisiana Limited Liability Company organized under the laws of the State of Louisiana, this date, do hereby adopt the following Resolution by unanimous written consent:

**RESOLVED**, that Lonnie Young and Lance Benezech, Co-Owners and Co-Managing Members of LLJ Environmental Construction, L.L.C. are hereby authorized, empowered and directed on behalf of LLJ Environmental Construction, L.L.C. to sign, execute, negotiate and modify any and all public and private bids, contracts, sub-contracts, leases, purchases, sales, estimates, proposals, bonds, surety agreements, guarantees, indemnity agreements, and any and all other documents which they, in their sole discretion, deem proper, prudent or necessary for the operation or conducting of the business of LLJ Environmental Construction, L.L.C.; and

**FURTHER RESOLVED**, that LLJ Environmental Construction, L.L.C. hereby confirms the authority granted to Lonnie Young and Lance Benezech by virtue of this Resolution and does confirm and ratify any and all acts performed by Lonnie Young and Lance Benezech as Co-Managing Members in the course of their operation and management of LLJ Environmental Construction, L.L.C.; and

**FURTHER RESOLVED**, that Lonnie Young and Lance Benezech are hereby authorized as Co-Managing Members of LLJ Environmental Construction, L.L.C. to do and perform any and all other acts and things, including the execution of all contracts, documents, certificates, public and private bids, leases, estimates, quotations, proposals, agreements, bonds, guarantees, indemnity agreements, purchase or sale agreements and any and all other documents necessary in their sole discretion to manage and operate LLJ Environmental Construction, L.L.C. and to implement and carry out the Resolutions passed in this meeting.

**IT WAS FURTHER RESOLVED**, that this Resolution, passed by unanimous written consent, shall be posted on the books and records of LLJ Environmental Construction, L.L.C.; shall supersede and replace all prior Resolutions, but shall not diminish nor detract from the prior authority granted to Lonnie Young and Lance Benezech by virtue of prior Resolutions, which authority and all prior acts and actions taken by Lonnie Young and Lance Benezech on behalf of LLJ Environmental Construction, L.L.C. are hereby ratified and remain in full force and effect.

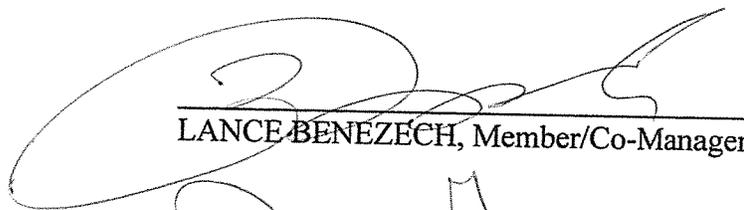
**IT WAS FURTHER RESOLVED** that this Corporate/Limited Liability Company Resolution, executed and passed this day, shall remain in full force and effect from this date forward until replaced or superseded by another Resolution, and shall be executed in multiple counterparts, each of which shall be deemed by LLJ Environmental Construction, L.L.C. to act as an original, to convey and document to all persons, companies, authorities and public entities

the full authority of Lonnie Young and Lance Benezech to act on behalf of LLJ Environmental Construction, L.L.C. in all respects listed above. A duplicate original, true copy, or photocopy of this Resolution shall act to grant to Lonnie Young and Lance Benezech all of the powers and authority granted by this Resolution and shall carry the same authority as the original Resolution filed in the books and records of LLJ Environmental Construction, L.L.C.

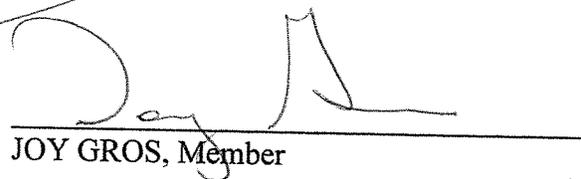
There being no further business to be conducted, the meeting of LLJ Environmental Construction, L.L.C. was unanimously declared adjourned.



\_\_\_\_\_  
LONNIE YOUNG, Member/Co-Manager

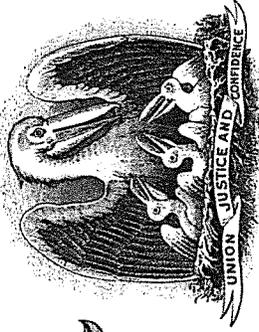


\_\_\_\_\_  
LANCE BENEZECH, Member/Co-Manager



\_\_\_\_\_  
JOY GROS, Member

# State of Louisiana

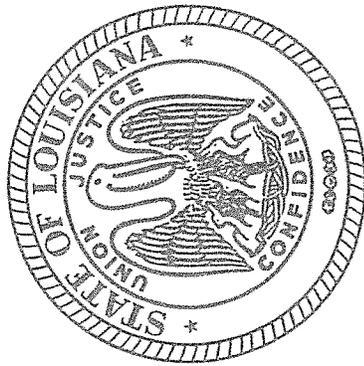


## State Licensing Board for Contractors

This is to Certify that:

LLJ ENVIRONMENTAL CONSTRUCTION, LLC  
1909 Industrial Blvd.  
Harvey, LA 70058

is duly licensed and entitled to practice the following classifications  
BUILDING CONSTRUCTION; SPECIALTY: ASBESTOS REMOVAL AND ABATEMENT; SPECIALTY: LEAD  
BASED PAINT ABATEMENT AND REMOVAL



May 15, 2015

Expiration Date:

60059

License No:

Witness our hand and seal of the Board dated,  
Baton Rouge, LA 15th day of May 2014

*Will S. May Jr.*  
\_\_\_\_\_  
Director

*See exhibit*  
\_\_\_\_\_  
Chairman

*André Denny*  
\_\_\_\_\_  
Secretary-Treasurer

This License Is Not Transferrable



[CHECK STATUS OF APPLICATION](#) [HOW TO APPLY](#) [NEED A FORM](#) [RENEW ONLINE](#)  
[VERIFY HOMEOWNER CONSTRUCTION REP](#) [HOMEOWNER CONSUMER VIDEO](#) [CONTRACTOR COMPLAINT](#) [PUBLIC EDUCATION](#)

**Related Links:**

[Online Search Main Page](#)

Licensing Board's Online Database

**Search Results - Contractor Detail**

**Business Name:** LLJ ENVIRONMENTAL CONSTRUCTION, LLC ✓  
**Mailing Address:** 1909 Industrial Blvd.  
 Harvey, LA 70058  
**Phone Number:** ()-  
**Fax Number:** ()-  
**Email Address:** [jqros@ljenvironmental.com](mailto:jqros@ljenvironmental.com)  
**Website:**

**Active Licenses**

Lic#	Type	Status	Effective	Expiration	First Issued
✓ 60059	Commercial License Certificate	LICENSED	05/16/2015	05/15/2017	05/15/2014
250544	Mold Remediation License Certificate	LICENSED	05/29/2015	05/28/2017	05/28/2014

**Classifications:**

Class	Qual Party	Valid Parishes
✓ BUILDING CONSTRUCTION	Lance Edward Benezech	ALL
SPECIALTY: ASBESTOS REMOVAL AND ABATEMENT	Lance Edward Benezech	ALL
SPECIALTY: LEAD BASED PAINT ABATEMENT AND REMOVAL	Lance Edward Benezech	ALL
MOLD REMEDIATION CONTRACTOR	Lance Edward Benezech	ALL

[Start New Contractor Search](#)

**Louisiana State Licensing Board For Contractors**  
 2525 Quail Drive ~ Baton Rouge, LA 70808  
 Phone: (225) 765-2301 ~ Fax: (225) 765-2431  
[Employee Login](#)

Site design & maintenance by Beth A. Horton, LLC

#282991

Form **W-9**  
(Rev. January 2011)  
Department of the Treasury  
Internal Revenue Service

### Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Name (as shown on your income tax return)

Business name/disregarded entity name, if different from above  
**LLJ Environmental Contractor LLC**

Check appropriate box for federal tax classification (required):  
 Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate

Limited liability company. Enter the tax classifier (C=C corporation, S=S corporation, P=partnership) ▶ **P**     Exempt payee

Other (see instructions) ▶

Address (number, street, and apt. or suite no.)  
**1909 Industriell Blvd.**

City, state, and ZIP code  
**Harvey, LA 70058**

List account number(s) here (optional)

Requester's name and address (optional)

#### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								
			-					

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number								
4	6	-	5	2	4	4	5	1

#### Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here    Signature of U.S. person ▶ *Jay [Signature]*

Date ▶ **6-4-11**

#### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.