CONTRACT SUMMARY

CITY OF FORT LAUDERDALE
PROCUREMENT SERVICES DEPARTMENT

Period Covered:	**Contract No.:**	**Master Blanket:**
6/21/11 – 5/18/12	B-11-42 Town of Davie Co-Op	N/A

Awarded Vendor:

BWI Companies, Inc.
1037 NW 4 Street
Homestead, FL 33050

Attn: Gary Bird
305-247-5115

Insurance Coverage Required: Yes _ No X
Authorized for Purchases: Under $25,000 _ Over X
City Commission Approval: 6/21/2011 Pur-04 CAR 11-0882
Extension Options: Yes X No _ Years: 1, 1 year extension

****

Horticultural Chemicals

Category A:	
Finale	$ 39.74/gal
Pendulum 3.3EC – Pin Dee 3.3 EC	$ 11.45/gal
Cutless 0.33G – Cutless G	$ 4.68/lb
Category B:	
Sevin SL	$ 32.12/gal
Malathion 5Ec	$ 28.73/gal
Talstar granular – Talstar G	$ .30/lb

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Department Contract Co-Ordinator: Kim Clifford, Parks and Recreation, (954) 828-5354

Procurement Specialist: AnnDebra Diaz, CPPB

ORIGINAL
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FROM FILE

THIS AGREEMENT, made and entered into this 21st day of June 2011, is by and between the City of Fort Lauderdale, a Florida municipality, ("City"), whose address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301-1016, and BWI Companies, Inc., a Texas corporation authorized to transact business in the State of Florida ("Contractor" or "Company"), whose address and phone are 1037 NW 4th Street, Homestead, FL 33050, Phone: 305-247-5115.

WHEREAS, the City issued Invitation to Bid Number B-11-42 ("ITB"), and the Contractor submitted a bid in response to the ITB; and

WHEREAS, on June 21, 2011, the City Commission of the City of Fort Lauderdale approved an agreement with Contractor for the goods or services described in the ITB (Pur-4, CAR No. 11-0882),

NOW, THEREFORE, for and in consideration of the mutual promises and covenants set forth herein and other good and valuable consideration, the City and the Contractor covenant and agree as follows:

1. The Contractor agrees to provide to the City Horticultural Chemicals in accordance with and in strict compliance with the specifications, terms, conditions, and requirements set forth in the ITB and any and all addenda thereto beginning June 21, 2011 and ending May 18, 2012.

2. This contract form G-110 Rev. 01/10, the ITB, any and all addenda to the ITB, and the Contractor's proposal in response to the ITB are integral parts of this Contract, and are incorporated herein.

3. In the event of conflict between or among the contract documents, the order of priority shall be as follows:

First, this contract form, G-110 Rev. 01/10;
Second, any and all addenda to the City's ITB in reverse chronological order;
Third, the ITB;
Fourth, the Contractor's response to any addendum requiring a response;
Fifth, the Contractor's response to the ITB.

4. The Company warrants that the goods and services supplied to the City pursuant to this Contract shall at all times fully conform to the specifications set forth in the ITB and be of the highest quality. In the event the City, in the City's sole discretion, determines that any product or service supplied pursuant to this Contract is defective or does not conform to the specifications set forth in the ITB the City reserves the right unilaterally to cancel an order or cancel this Contract upon written notice to the Contractor, and reduce commensurately any amount of money due the Contractor.

5. The Contractor shall not present any invoice to the City that includes sales tax (85-8012514506C-7) or federal excise tax (59-6000319).

6. Contractor shall direct all invoices in duplicate for payment to Finance Department, City of Fort Lauderdale, 100 N. Andrews Avenue, 6th Floor, Fort Lauderdale, FL 33301. Any applicable discount MUST appear on the invoice.

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IN WITNESS WHEREOF, the City and the Contractor execute this Contract as follows:

CITY OF FORT LAUDERDALE

By: _____
Director of Procurement Services

ATTEST

By: _____ Exec VP

Print Name: Mike Mize Exec VP

(CORPORATE SEAL)

CONTRACTOR

By: Jim Bunch

Print Name: Jim Bunch

Title: C/O President & CEO

(If not president of corporation please attach proof of authorization to sign)

STATE OF Texas:
COUNTY OF Bowie:

The foregoing instrument was acknowledged before me this 18th day of July, 2011, by Jim Bunch as (title): Co-President/CEO for BWI Companies, Inc., a Texas corporation authorized to transact business in the State of Florida.

(SEAL)

Carolyn S. Neff
Notary Public, State of Texas
(Signature of Notary Public)

_____
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ✓ OR Produced Identification _____
Type of Identification Produced _____

CAROLYN S. NEFF
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 7-23-2013

BWI COMPANIES

XII. PRODUCTS

CATEGORY A (SELECTIVE HERBICIDES)

Item 1: Drive XLR8 selective herbicide for the control of many broadleaf and grass weeds.

Active Ingredients:

Quinclorac: 3,7-dichloro-8-quinolinecarboxylic acid	15.93%
Inert Ingredients	84.07%

Approximate annual usage	200 gals.
Preferred Packaging	1 gal. containers
Net Unit Price	$ 91.02 /gal. .5Gal (1/2) PL
Packaging: container size	4 .5Gal # containers/carton

Manufacturer and Trade Name BASF DRIVE XLR8

Item 5: Roundup ProMax. A non-selective herbicide used for the control or destruction of most herbaceous plants. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT. NOTE: Same as above item but different packaging.**

Active Ingredients:

Glyphosate, N-(phosphonomethyl) glycine	48.7%
In the form of its potassium salt	
Inert Ingredients	51.3%

Approximate annual usage	900 gals.	
Preferred Packaging	30 gal drum	
Net Unit Price	$ 30.47 /gal.	
Packaging: container size	1	# containers/carton

Manufacturer and Trade Name Monsanto Roundup Pro Max

Item 6: Ranger Pro. A complete broad-spectrum postemergence professional herbicide for industrial, turf, and ornamental weed control. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT.**

Active Ingredients:

Glyphosate, N-(phosphonomethyl) glycine,	
In the form of its isopropylamine salt	41.0%
Inert Ingredients (including surfactant)	59.0%

Approximate annual usage	200 gals.	
Preferred Packaging	2 1/2 gal container	
Net Unit Price	$ 10.64 /gal.	
Packaging: container size	2	# containers/carton

Manufacturer and Trade Name Monsanto Ranger Pro

Item 9: 2,4-D or approved equal. A selective herbicide used for the control of many broadleaf weeds.

Active Ingredients:

2,4-D Dimethoxyacetic Acid	47.4%
Inert Ingredients	52.6%

Approximate annual usage	550 gals.
Preferred Packaging	2 1/2 gal container
Net Unit Price	$ 16.28 /gal.
Packaging: container size	2 # containers/carton

Manufacturer and Trade Name NUFARM WEEDestroy 2,4,D.

Item 10: Three-Way or approved equal. Broad spectrum weed killer used for the control of weeds in Bermuda grass.

Active Ingredients:

Dimethylamine Salt of 2.4 dichlorophenoxyacetic acid	32.67%
Dimethylamine Salt of 2-propionic acid	16.36%
Dimethylamine Salt of Dicambia	2.82%
Inert Ingredients	48.15%

Approximate annual usage	400 gals.
Preferred Packaging	2 1/2 gal. containers
Net Unit Price	$ 20.69 /gal.
Packaging: container size	2 # containers/carton

Manufacturer and Trade Name PROROZ VESSEL.

Item 14: Barricade or approved equal. A selective herbicide used for the control of weeds.

Active Ingredients:
Prodiamine 65.0%
Inert Ingredients 35.0%

Approximate annual usage 700 lbs.
Preferred Packaging 10 lb. bag
Net Unit Price $ 12.42 /lb.
Packaging: container size 4 # containers/carton

Manufacturer and Trade Name Syngenta Resolute

Item 15: Basagran or approved equal. A selective herbicide used for the post emergence control of many broadleaf weeds.

Active Ingredients:
Bentazon 42.0%
Inert Ingredients 58.0%

Approximate annual usage 150 gals.
Preferred Packaging 1 gal. container
Net Unit Price $ 90.09 /gal.
Packaging: container size 1 Gal # containers/carton

Manufacturer and Trade Name BASF Basagran.

Item 16: Pre-M or approved equal. Pre-emergent weed killer used for the control of weeds in Bermuda grass.

Active Ingredients:
Pendimethalin 60.0%
Inert Ingredients 40.0%

Approximate annual usage 250 gals.
Preferred Packaging 2 ½ gal. container
Net Unit Price $ _____ /gal.
Packaging: container size _____ # containers/carton

Manufacturer and Trade Name _____

Item 20: Trimec Plus or approved equal. A selective herbicide.

Active Ingredients:

Monosodium Acid Methanearsonate	18.00%
Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid	5.83%
Dimethylamine Salt of 2-(2-methyl-4 chlorophenoxyl) Propionic Acid	5.86%
Dimethylamine Salt of Dicambia (3,6 Dichloro-O-anisic acid)	1.46%
Inert Ingredients	68.85%

Approximate annual usage 150 gals.
Preferred Packaging 2 1/2 gal. containers
Net Unit Price $ N/A /gal.
Packaging: container size N/A # containers/carton

Manufacturer and Trade Name N/A

Item 21: Illoxan 3EC or approved equal. A selective herbicide for postemergence control of goosegrass.

Active Ingredients:

Diclofop-methyl 2-[4-(2, 4-dichlorophenoxy) phenoxy] propanoate	35.49%
Inert Ingredients	64.51%

Approximate annual usage 50 gals.
Preferred Packaging 1 gal. containers
Net Unit Price $ 211.68 /gal.
Packaging: container size 4 # containers/carton

Manufacturer and Trade Name Bayer Illoxan.

Item 22: Asulox or approved equal. A selective herbicide for postemergent weed control in turf, ornamentals, reforestation areas and non-cropland.

Active Ingredients:

Sodium salt of asylum (methyl sulfanilyl carbarnate)	36.27%
Inert Ingredients	63.73%

Approximate annual usage 50 gals.
Preferred Packaging 2 1/2 gal. containers
Net Unit Price $ 44.91 /gal.
Packaging: container size 2 # containers/carton

Manufacturer and Trade Name Southern Asulox

Item 26: Revolver or approved equal. A herbicide for the control of annual and perennial grasses in bermudagrass, zoysiagrass, and buffalograss.

Active Ingredients:

foramsulfuron	2.34%
Inert Ingredients	97.66%

Approximate annual usage 300 gals.
Preferred Packaging 87 oz. containers
Net Unit Price $ 6.21 /oz.
Packaging: container size 87oz / 4 # containers/carton

Manufacturer and Trade Name Bayer

Item 27: Certainty or approved equal. A selective herbicide for the control of annual and perennial grasses and broadleaf weeds in highly managed turf sites.

Active Ingredients:

Sulfosulfuron	75.00%
Inert Ingredients	25.00%

Approximate annual usage 50 oz.
Preferred Packaging 1.25 oz. bottles
Net Unit Price $ 71.95 /1.25 oz. bottle
Packaging: container size 10 # containers/carton

Manufacturer and Trade Name Monsanto Certainty

Item 28: Cutless 0.33G or approved equal. A systemic landscape growth regulator for terminal growth suppression in woody ornamental plants and perennial ground covers, resulting in a more compact growth form and reduced trimming.

Active Ingredients:

Flurprimidol: (1-methylethyl) {(4-trifluoromethoxy) Phenyl}-5-pyrimidinemethanol	0.33%
Inert Ingredients	99.67%

Approximate annual usage 450 lbs.
Preferred Packaging 21 lb. bucket
Net Unit Price $ 4.68 /lb.
Packaging: container size 21 # # containers/carton

Manufacturer and Trade Name Sepro Cutless

Item 32: Pennant Magnum or approved equal. Weed control in nurseries, turf, and landscape plantings.

Active Ingredients:		
5-metolachlor		83.7%
Inert Ingredients		16.3%

Approximate annual usage	100 gal.	
Preferred Packaging	1 gal containers	
Net Unit Price	$ 160.21 /gal.	
Packaging: container size	4	# containers/carton

Manufacturer and Trade Name Syngenta Pennant.

CATEGORY B (INSECTICIDES/PESTICIDES)

Item 1: Orthene .97 or approved equal. An insecticide used for the control of mole crickets.

Active Ingredients:		
Acephate		75.0%
Inert Ingredients		25.0%

Approximate annual usage	800 lbs.	
Preferred Packaging	7.73 lb. bag	
Net Unit Price	$ 7.57 /lb.	
Packaging: container size	4	# containers/carton

Manufacturer and Trade Name Amvac Orthene .97

Item 2: Sevin SL or approved equal. An insecticide used for the control of sod webworms, armyworms, grassloopers, white grubs and billbugs.

Active Ingredients:		
Carbaryl		43.0%
Inert Ingredients		57.0%

Approximate annual usage	100 gals.	
Preferred Packaging	2 ½ gal. container	
Net Unit Price	$ 32.12 /gal.	
Packaging: container size	2	# containers/carton

Manufacturer and Trade Name Prokoz Sevin SL

Item 5: Merit WSPor approved equal. Wettable powder for foliar and systemic insect control in turfgrass, landscape ornamentals and plantscapes.

Active Ingredients:
Imidacloprid, 1-(6-chloro-3-pyadiacyl)
methyl)-N-nitro-2, imidazolidinimine 75.0%
Inert Ingredients 25.0%

Approximate annual usage 300 ozs.
Preferred Packaging 2 oz. containers
Net Unit Price $ 14.18 ~~1 oz.~~ .80 oz
Packaging: container size 1.6oz 4 # containers/carton

Manufacturer and Trade Name Pholoz Zenith 75WSP.

Item 6: Cygon or approved equal. Used for the control of insects.

Active Ingredients:
Dimethoate 23.0%
Inert Ingredients 77.0%

Approximate annual usage 50 gals
Preferred Packaging / qt ~~2½~~ gal. container
Net Unit Price $ 81.00 /gal.
Packaging: container size 4 # containers/carton

Manufacturer and Trade Name United Phosphorus Lam Bda-Cy - EC

Item 7: Demand CS or approved equal. Insecticide used for the control of adult mole crickets in turfgrass.

Active Ingredients:
Lambda Cyhalothrin 12.0%
Inert Ingredients 88.0%

Approximate annual usage 50 lbs.
Preferred Packaging 1 qt. container
Net Unit Price $ N/A /qt.
Packaging: container size N/A # containers/carton

Manufacturer and Trade Name N/A

Item 11: Dylox 6.2 granular or approved equal. Granular control of white grubs, mole crickets, sod webworms and cutworms, and other pests of turfgrass.

Active Ingredients:

Trichlorfon, Dimethyl (2,2,2-trichloro-1-hydroxy-ethyl) phosphonate	6.2%
Inert Ingredients	93.8%

Approximate annual usage	1,000 lbs.	
Preferred Packaging	30 lb. bags	
Net Unit Price	$ 1.03 /lbs.	
Packaging: container size	30#	# containers/carton

Manufacturer and Trade Name Bayer Dylox 6.2 G.

CATEGORY C (FUNGICIDES)

Item 1: Daconil wether stick or approved equal. Fungicide used for the control of diseases in turf grass.

Active Ingredients:

Chlorothalonil (Tetrachloroisophthalonitrile)	54.0%
Inert Ingredients	46.0%

Approximate annual usage	250 gals.	
Preferred Packaging	2 1/2 gal. container	
Net Unit Price	$ 56.50 /gal.	
Packaging: container size	2	# containers/carton

Manufacturer and Trade Name Syngenta Daconil Wether Stick.

Item 2: Subdue or approved equal. Fungicide used to control pythium blight and pythium root rot.

Active Ingredients:

Metalaxyl	25.1%
Inert Ingredients	74.9%

Approximate annual usage	100 gals.	
Preferred Packaging	1 gal. container	
Net Unit Price	$ 499.00 /gal.	
Packaging: container size	2	# containers/carton

Manufacturer and Trade Name Syngenta Subdue Maxx.

Item 6: Eagle 20EW. A systemic protectant and curative fungicide for disease control in established turfgrass, landscape ornamentals, and greenhouse and nursery ornamentals. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT.**

Active Ingredients:

Myclobutanil: a-butyl-a-(chlorophenyl)-1H-1, 2,4, triazole-1-propanenitrite	19.7%
Inert Ingredients	80.3%

Approximate annual usage	200 pts.	
Preferred Packaging	1 pint containers	
Net Unit Price	$ 29.64 / ~~oz.~~ PT	
Packaging: container size	8	# containers/carton

Manufacturer and Trade Name Dow Eagle 20EW

Item 7: Fore 80WP. A fungicide used on golf courses. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT.**

Active Ingredients:

Mancozeb: A coordination product of zinc ion and Manganese ethylene bisdithiocarbamate		80.0%
In which the ingredients are:		
Manganese	16.0%	
Zinc	2.00%	
Ethylene bisdithiocarbamate ion	62.0%	
Inert Ingredients		20.0%

Approximate annual usage	200 lbs.	
Preferred Packaging	1.5 lb. containers LB	
Net Unit Price	$ 27.00 / ~~oz.~~ LB	
Packaging: container size	1.5# 8 EA 4 PER PACK	# containers/carton

Manufacturer and Trade Name Dow Fore 80 WP.

Item 3: Logic/Award or approved equal. Insecticide used in the control of fire ants.

Active Ingredients:

Phenoxycarb	1.0%
Inert Ingredients	99.0%

Approximate annual usage 1,500 lbs.
Preferred Packaging 25 lb. bag
Net Unit Price $ 7.99 /lb.
Packaging: container size 25# # containers/carton

Manufacturer and Trade Name Syngenta Logic / Award

CATEGORY E (WETTING AGENTS)

Item 1: A generic wetting agent used to increase water efficiency. Product may not contain any alcohol or petroleum and must have a low photo toxicity.

Active Ingredients:

2-butoxyelthanol, polyoxyethylene, polypropoxypanol, silicone defoamer	87.6%
Inert Ingredients	12.4%

Approximate annual usage 400 gals.
Preferred Packaging 2 1/2 gal. container
Net Unit Price $ 51.03 /gal.
Packaging: container size 2 # containers/carton

Manufacturer and Trade Name Aquatrols Aqua Gro 2000 L

Item 2: A generic wetting agent in granular form used to increase water efficiency. Product may not contain any alcohol or petroleum and must have a low photo toxicity.

Active Ingredients:

2-butoxyelthanol, polyoxyethylene, polypropoxypanol, silicone defoamer	87.6%
Inert Ingredients	12.4%

Approximate annual usage 1,300 lbs.
Preferred Packaging ~~50~~ lb. bags 44# Drum
Net Unit Price $ 3.51 /lb.
Packaging: container size 1 # containers/carton

Manufacturer and Trade Name Aquatrols Aqua Gro 2000 G

By: Mike Mize Exec VP
Signature of Affiant

Date: 4/1/2011

Mike Mize Exec VP
Print Name

SUBSCRIBED AND SWORN TO or affirmed before me this 1st day of April 2011 by Mike Mize, he/she is personally known to me or has presented _____ as identification.

Carolyn S. Neff
Notary Public, State of ~~Florida at Large~~ Texas

CAROLYN S. NEFF
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 7-23-2013

Print or Stamp of Notary

Serial Number

My Commission Expires : _____

Cert ID 12767

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 4/11/2011

PRODUCER
Offenhauser & Company 1
518 Pine Street
Texarkana TX 75501-5515
(903) 793-5511 (903) 792-4050

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
BWI Companies, Inc.

P O Box 990
Nash TX 75569

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Travelers Property Casualty In	36161
INSURER B: Travelers Property Casualty In	36161
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	TC2JGLSA751G100ATIL1	11/1/2010	11/1/2011	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Pest/Herb Applicator Cvg	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 5,000,000 $ 2,000,000 1,000,000
B		AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS	TC2JCAP751G1011TIL10	11/1/2010	11/1/2011	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE AGGREGATE	$ $ $ $ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Subject to policy terms & conditions.

CERTIFICATE HOLDER

SE FL Governmental Purchasing Coop
Town of Davie
Horticultural Chemicals Bid
6591 Orange Dr.
Davie FL 33314-3399

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 60 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE Offenhauser + Co.

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