PROTEST BOND

(Award Protest)

Solicitation: South Carolina Child Support

> **Enforcement System and Family** Court Case Management System

Solicitation #: 07-S7279-A12966

Bond No.: K07370003

Bond Amount: Eight Hundred Ninety Two

Thousand Three Hundred Seven

and 00/100 (\$892, 307.00)

Principal: Protech Solutions, Inc.

124 West Capital, Suite 1500

Little Rock, AR 72201

Surety: Westchester Fire Insurance

Company

436 Walnut Street, P.O. Box 1000

Philadelphia, PA 19106

Obligee/Agency: South Carolina Department of

Social Services

1535 Confederate Ave. Extension

Columbia, SC 29202-1520

KNOW ALL PERSONS BY THESE PRESENTS:

Agency, acting through the Information Technology Management Office, has posted notice of its intent to award a contract regarding the Solicitation identified above.

Pursuant to Section 11-35-4210, South Carolina Code of Laws. Principal has initiated an administrative protest of the proposed award. Pursuant to Section 11-35-4215, said protest is conditioned upon the posting of a bond with the appropriate chief procurement officer.

NOW, THEREFORE:

Principal, a Corporation organized and existing under the laws of the State of Arkansas, and Surety, a surety company organized under the laws of the State of New York, and duly authorized to do business in the State of South Carolina, are held and firmly bound unto Obligee in the penal sum of the Bond Amount stated above, for which payment Principal and Surety bind themselves and their legal representatives and successors, jointly and severally.

This bond is intended to comply with the requirements of Section 11-35-4215, and, in accordance with the provisions and requirements of said statute, it is expressly provided that:

- The condition of this bond is that if the Principal, after completion of the administrative hearing process and any appellate court proceedings regarding the protest, pays to Obligee all reasonable reimbursement costs and charges associated with the protest, excluding attorney's fees, as adjudged against Principal pursuant to Section 11-35-4215 in a final order of the Procurement Review Panel, if the protest is denied, then the obligation shall be null and void: otherwise, it shall remain in full force and effect.
- In no event shall the liability of the Surety exceed the penal sum stated above.
- Upon written notification to the Surety at the address listed above that Principal has failed to pay the amount adjudged against Principal pursuant to Section 11-35-4215 in a final order of the Procurement Review Panel, the bond shall be forfeit in such amount, and Surety shall pay such amount to Obligee immediately. In the event Surety fails to pay Obligee in accordance with this paragraph, Obligee may bring an action to enforce this bond according to its terms.
- Principal and Surety consent to exclusive jurisdiction in any appropriate forum in South The bond, any dispute, claim or Carolina. controversy relating to the bond, and all rights and obligations of the parties shall, in all respects, be interpreted, construed, enforced and governed under the laws of the State of South Carolina, except its choice of law rules.

Signed and Sealed this 21st day of March, 2007.

Principal: Protech Solutions, Inc.

Name and Title: Shiva Duvvuru, Chief Financial Officer

Surety; Westchester Fire Insurance Company

Sheila J. Montoya, Attorney-in-Fact

Note: (1) Bond must be accompanied by a Power of Attorney authorizing the attorney-in-fact to bind Surety. (2) Pursuant to Section 11-35-4215, Principal may request that the Procurement Review Panel allow it to recover from Agency the cost of providing the bond, if Principal prevails in the protest.

Power of Attorney

WESTCHESTER FIRE INSURANCE COMPANY



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Know all men by these presents: That WESTCHESTER FIRE INSURANCE COMPANY, a corporation of the State of New York, having its principal office in the City of Atlanta, Georgia, pursuant to the following Resolution, adopted by the Board of Directors of the said Company on November 8, 1999, to wit:

"RESOLVED, that the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the mature thereof

- That the President, any Senior Vice President, any Vice President, and Assistant Vice President, or any Attorney-in-Fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, comments and other writings in the nature discrept, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the President, any Senior Vice President, any Vice President and authorize any other Officer (elected or appointed) of the Company, as Attorneys-In-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.
- (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary.
- (3) The signature of the President, or a Senior Vice President, or a Vice President, or a Vice President, or a Assistant Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a certifying Officer and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any such power or certificate hearing such facsimile signature and sea shall be valid and binding on the Company.
- (4) Such other Officers of the Company, and Attorneys-In-Fact shall have authority to certify or verify topies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.
- (5) The passage of this Resolution does not revoke any earlier authority granted by Resolutions of the Board of Directors."

Does hereby nominate, constitute and appoint CELESTE T. HELMS, MONA D. WEAVER, ANUJ JAIN, SHEILA J. MONTOYA and

SHELLEY CZAJKOWSKI all of the City of Denver, State of Colorado, each individually if there be more than one named, its true and lawful attorney in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Ten Million Dollars (\$10,000,000) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and ackowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the corporate seal of the said WESTCHESTER FIRE INSURANCE COMPANY this 10th day of July 2006.

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WESTCHESTER FIRE INSURANCE COMPANY

Stephen M. Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA COUNTY OF PHILADELPHIA SS.

On this 10th day of July, A.D. 2006, before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney, Vice-President of the WESTCHESTER FIRE INSURANCE COMPANY to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed 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 City of Philadelphia the day and year first above written



NOTARIAL SEAL
Kathleen Tirri, Notary Public
Philadelphia, Philadelphia County
My commission expires September 22, 2007

Notary Public

I, the undersigned Secretary of WESTCHESTER FIRE INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary, and affixed the corporate seal of the Corporation, this $\frac{21 \, \mathrm{S} \, \mathrm{t}}{\mathrm{day}}$ of March 2007.



George D Mulligan Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER July 10, 2008