



Wolyniec Construction Inc. CONTRACTORS

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MOTOR VEHICLE SAFETY POLICY

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Motor Vehicle Safety Policy

1.0 Purpose & Scope

1.1 Purpose.

The primary objective of the Wolyniec Construction, Inc. (WCI) Motor Vehicle Safety Policy is to define measures necessary to protect our employees and the public from injury or damage related to fleet vehicle operations.

1.2 Scope.

The provisions of this policy apply to all fleet vehicle operators. It applies universally without regard to license type/classification, vehicle type, driving duration/frequency or purpose for fleet vehicle operation.

1.3 Basis.

This policy is modeled around American National Standard (ANSI) Z15.1-2006, *Safe Practices for Motor Vehicle Operations*.

2.0 Policy Statement & Authorized Use of Fleet Vehicles

2.1 Policy statement.

When operating a company vehicle, you are representing Wolyniec Construction, Inc.

We will employ only professional drivers – individuals who consistently demonstrate safe, courteous and responsible driving habits. We expect each motor vehicle operator to respect the provisions of this policy and follow all applicable DOT regulations. Those who fail to approach their driving responsibilities professionally will be subject to disciplinary action, up to and including termination.

Only individuals committed to safe motor vehicle operation shall be authorized to drive WCI fleet vehicles. Individuals who have not specifically been authorized to operate fleet vehicles, or whose authorization has been revoked, may not operate a fleet vehicle on behalf of WCI.

2.2 Authorized use of company vehicles.

All WCI vehicles are provided strictly for official company business and may only be driven by WCI-authorized drivers. While some vehicles may be driven home at the end of the workday, none are for personal use.

2.3 Personal vehicle use for company business.

Employees who use personal vehicles for company business will be reimbursed on a per mile basis. Employee is responsible for maintenance, insurance & general upkeep of the

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vehicle and for abiding by all provisions of this policy while using the vehicle for business purposes. WCI reserves the right to set minimum limits of coverage and/or request proof of insurance. In the event of an incident, the employee's personal insurance will apply first.

Employees are not required to participate in driver education and training sessions if the use of their personal vehicles for company business does not exceed 5x per year.

2.4 Rental vehicles.

Employees who use rental vehicles for company business are responsible for abiding by all provisions of this policy. Any conditions making the vehicle unsafe for use shall be immediately reported to the office and rental company so that repairs or a replacement can be provided before the vehicle is driven.

3.0 *Driver Qualification & Training*

3.1 Driver qualification.

3.1.1 New hires – WCI management shall initially authorize new hire driving privileges upon satisfactory review of:

- Job application & experience
- Reference checks & employment record (prior three years)**
- MVR history (prior three years in each state where valid license was held)
- Documentation of physical exam within past 24 months (CDL drivers)
- Drug & alcohol test results

** This shall include a request for alcohol and controlled substances information. This reference check process shall be completed within 30 days of hire.

3.1.2 Post incident/violation review – Following report of a vehicle accident or violation charge, WCI will check the driver's MVR drivers license status.

3.1.3 Annual review – Each driver's continued authorization is subject to WCI management's successful annual review of:

- Annual** MVR check for each state in which a drivers license was held
- Drivers license status (and class & endorsements for CDL drivers)
- Incident, complaint and evaluation history
- Continuing education/training
- Physical exam documentation (CDL drivers)***
- Drug & alcohol test results

** Quarterly for anyone with multiple or serious moving violations.

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***Doctor completing medical certification must be knowledgeable of DOT regulations pertaining to driver physical qualifications and must be provided a copy of 49 CFR 391.41.

3.2 Driver disqualification.

At the sole discretion of WCI management, any of the following criteria may result in immediate disciplinary action, up to and including disqualification of company vehicle driving privileges:

- 3.2.1 License suspension or revocation
- 3.2.2 Operation of vehicle outside the limitations of the driver's license
- 3.2.3 Criminal record
- 3.2.4 Record of any disqualifying violation (evading police, felony use of motor vehicle, speeding in school zone, crossing railroad tracks against signal, etc.)
- 3.2.5 History of DUI/DWI within past 7 years
- 3.2.6 Any serious violation within past 5 years (reckless driving, excessive speeding, etc.)
- 3.2.7 Two or more moving violations within past 3 years (speeding, failure to obey traffic signs/signals, improper turns, driving the wrong way, etc.)
- 3.2.8 Two or more at-fault accidents within the past 3 years
- 3.2.9 Occurrence of a preventable accident
- 3.2.10 Observation of unsafe vehicle operation &/or pattern of serious complaints
- 3.2.11 Refusal to immediately submit to drug/alcohol testing
- 3.2.12 Failure to adhere to the provisions of this fleet safety policy
- 3.2.13 Failure to adhere to DOT regulations
- 3.2.14 Failed physical exam

Incident – An unexpected occurrence that did or could have resulted in injury or property damage.

Accident – An occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in a fatality, bodily injury to a person (requiring off-site medical treatment), or one or more motor vehicles incurring disabling damage (required to be hauled/towed away).

Preventable accident – An accident (1) that involved a commercial motor vehicle, and (2) that could have been averted but for an act, or failure to act, by the motor carrier or the driver.

3.3 Orientation & training.

3.3.1 New hire orientation – All newly hired drivers (or employees whose job duties now include operation of fleet vehicles) shall receive orientation fleet safety training from a designated competent driver. The orientation will include:

- Motor Vehicle Safety Policy review
- Focus on driver responsibilities & regulatory obligations
- Defensive driving tactics (within 90 days of hire or new job assignment)

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- Behind the wheel training/observation

The behind the wheel training/observation will be supervised by a competent driver on a vehicle with the same general size, power, configuration & operation as the one(s) to be operated. The extent of observation and hands-on training will depend upon the new driver's experience level and skills demonstration.

Entry-level training for CDL drivers – Drivers with less than 1 year of experience operating a commercial motor vehicle with a CDL in interstate commerce must complete entry-level training. A copy of the certificate or diploma that certifies this training has been successfully completed must be provided to WCI upon hire. (Entry-level driver training is training the CDL driver receives in driver qualification requirements, hours of service of drivers, driver wellness, and whistle blower protection as appropriate to the entry-level driver's current position in addition to passing the CDL test. Reference 49 CFR Part 380.)

3.3.2 Annual refresher – Annually, fleet drivers will attend a safety meeting to review:

- The past year's incidents and incident trends
- Sources of vehicle safety problems/complaints
- Lessons learned
- Motor Vehicle Safety Policy updates & key provisions
- DOT/safety regulation updates

3.3.3 Continuing education – Periodically, drivers will attend continuing education training. Topics may include, but are not limited to:

- Defensive driving
- Impaired driving
- Distracted driving
- Aggressive motorists/driving
- Vehicle inspection & maintenance
- Commodity-specific training
- Proper use of emergency equipment
- Incident management

3.3.4 Refresher training (counseling) – Drivers who are involved in a preventable motor vehicle incident or who have violated the provisions of this policy and/or DOT regulations will be counseled by WCI management. Counseling shall include:

- A review of circumstances
- Review of applicable State and local law
- Pertinent driver responsibilities/expectations
- Any needed preventive actions, and if appropriate
- Disciplinary action (will follow if the circumstance involves a serious, willful or repeated violation of this policy)

4.0 Driver Responsibilities

4.1 Safe operation.

All drivers are expected to operate motor vehicles in a safe manner at all times and comply with all applicable federal, state and local laws. Vehicles are to be operated based on existing conditions (light, precipitation, traffic volume, etc.) rather than solely on posted speed limit.

4.2 Driver's license.

Driver must possess a valid motor vehicle driver's license with the appropriate classification and endorsements needed for operating the vehicle(s) assigned to the operator.

4.3 Vehicle restraints (seatbelts).

All occupants (drivers & passengers) of the vehicle must use a vehicle restraint (seatbelt) at all times while the vehicle is being operated.

4.4 Passengers.

Only WCI employees and authorized company representatives may be transported in fleet vehicles. No other passengers are permitted without written authorization from WCI executive management.

4.5 Headlights.

All vehicles shall be driven with headlights turned on, regardless of time or lighting conditions.

4.6 Strobes & rotating beacons.

All vehicles in work zones shall activate flashing strobes or rotating beacons.

4.7 Air bags.

With the exception of conditions specified by the vehicle manufacturer, air bags are required to be activated at all times when operating a fleet vehicle equipped with this safety feature

4.8 Parking.

Never park any vehicle – company or personal – in areas where it could be exposed to damage, block emergency responder access or block motorist view of a work area.

4.9 Reporting of disqualifying, serious and moving violations.

All fleet vehicle operators must immediately report to WCI office any disqualifying or serious violation charges (refer to section 3.2 of this policy), regardless of whether or not the violation occurred in a company vehicle.

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Within 24 hours, all fleet vehicle operators must report to WCI office any moving violation charges, regardless of whether or not the violation occurred in a company vehicle.

CDL holders – Within 30 days following a conviction, this notification must be made in writing and contain the following information:

- Driver's full name;
- Driver's license number;
- Date of conviction;
- Description of the specific violation
- Effects on licensing and/or driving privileges
- Indication whether the violation was in a commercial motor vehicle;
- Location of offense; and
- Driver's signature.

4.10 Reporting of change in driver's licensing.

All company vehicle operators must immediately report to WCI office any change in their driver's licensing status, classification or endorsements.

4.11 Reporting of motor vehicle incidents.

See section 5.0 of this policy.

4.12 Impaired driving.

No driver shall operate any fleet vehicle while impaired. Impaired driving may result from drugs, medication, alcohol, fatigue, medical condition, emotional state, etc. This provision includes circumstances where the use of legally prescribed or over the counter medication may cause drowsiness. Refer to the Wolyniec Construction Substance Abuse Policy.

4.13 Distracted driving & cell phones.

Driver shall not operate a company vehicle while distracted. Distracted driving may result from taking notes, eating/drinking, personal grooming, smoking, reading, use of technology (radios, computers, GPS, etc.), passengers, etc. Pull over or wait until the vehicle is stopped/parked to attend to the matter.

Cell phone use can also cause driver distraction. WCI's policy on cell phone use is as follows:

- No personal calls during work hours – no matter if you have a business or personal cell phone. Only work-related calls may be made or taken during working hours.
- If driving, let voice mail take incoming calls. When you are safely parked, calls may be returned or made.
- If job responsibilities absolutely require accepting work-related calls while driving, a hands-free device shall be used. However, no one is to endanger themselves or

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others for the sake of making or taking a work-related phone call. If in heavy traffic, merging with traffic, passing a vehicle, at an intersection, near pedestrians, etc. do not use your phone.

- Employees who are charged with traffic violations resulting from cell phone use while driving shall be solely responsible for all liabilities resulting from the incident.

4.14 **Aggressive driving.**

Drivers shall not operate any fleet vehicle in a manner that endangers or is likely to endanger people or property (aggressive driving). Reports of any such behavior may result in immediate termination. Aggressive driving may include speeding, tailgating, flashing high beams, failing to yield or use turn signals, running red lights/stop signs, weaving through traffic and threatening or abusive conduct.

4.15 **Pre- & post-trip safety inspections.**

Prior to each use, the driver of any company vehicle is responsible for conducting a pre-trip safety check to ensure that the vehicle is reasonably clean and in a safe operating condition. Check condition & proper function of:

- Gauges
- Fuels & fluids
- Wheels & tires
- Mirrors & mirror adjustments
- Windshield & wipers
- Lights (headlights, turn signals, 4-ways, brake & flashing/rotating strobe)
- Verify vehicle registration & proof of insurance is in glove box

Vehicles not in a good, safe condition are not to be driven. Safety-related damage or defects, including missing or malfunctioning safety devices, shall be repaired before the vehicle is placed back into service.

Commercial vehicles – At the completion of each work day, the driver shall submit and return to the shop a signed “Driver’s Vehicle Inspection Report”. The report shall identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If no defect or deficiency is discovered by or reported to the driver, the report shall so indicate.

Before each use of a commercial vehicle, review the last driver vehicle inspection report. If deficiencies were noted, sign the report to acknowledge that the required repairs have been made. Do not sign this report or operate the vehicle until the repairs are complete.

4.16 **Maintenance.**

Maintain vehicle in a safe operating condition and in accordance with our designated maintenance schedule (every 7,500 miles). Accurately record and report vehicle mileage and maintenance in accordance with organization procedures. See section 6.0.

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4.17 Vehicle selection.

When selecting a vehicle for a given task, the driver shall choose the proper vehicle based on its size, capacity & intended use. Under no circumstances may a vehicle be overloaded or operated by an individual who is not properly licensed.

4.18 Smoking.

Smoking is not permitted in fleet vehicles. Where smoking is permitted, employees shall take care to not smoke within 50' of areas where flammable or combustible substances are stored, handled, transferred or used.

4.19 Fines.

Driver is responsible for all fines & fees which are a result of his/her violation of federal, state or local law.

4.20 Logging hours of service – commercial drivers.

WCI qualifies for the “100 air-mile radius driver” hours of service logging protocol.

- Our operations are within a 100 air-mile radius of the normal work reporting location;
- Our drivers return to the work reporting location and are released from work within 12 consecutive hours;
- Our drivers have at least 10 consecutive hours off duty separating each 12 hours on duty;
- Our drivers do not exceed 11 hours maximum driving time following 10 consecutive hours off duty;
- WCI maintains and retains for a period of 6 months accurate and true time records showing: (i) The time the driver reports for duty each day, (ii) The total number of hours the driver is on duty each day, (iii) The time the driver is released from duty each day; and (iv) The total time for the preceding 7 days.

All commercial drivers shall maintain accurate duty status/time records each day by means of time card. Time cards must also account for any compensated time spent driving commercial vehicles for another employer during any 24 hour period. In these cases, time cards must include:

- All duty time for the entire 24-hour period;
- The name of each motor carrier served by the driver during that period; and
- The beginning and finishing time, including a.m. or p.m., worked for each carrier.

4.21 Load securement.

All materials, tools or equipment loaded onto vans, trucks or trailers must be secured prior to transit. The vehicle driver is responsible to assure that all loads are secured prior to transit.

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On non-commercial vehicles, loads may not stick out more than 2' past the front bumper or more than 6' past the rear bumper. Loads that stick-out 4' to 6' past the rear bumper must be clearly flagged with hi-visibility material.

Commercial drivers – Prior to operating a commercial motor vehicle, cargo must be properly distributed and adequately secured. (See 49 CFR 393.100 through 393.142). The tailgate, tailboard, doors, tarpaulins, spare tire and other equipment used in its operation, and the means of fastening the cargo must be secured. Also, cargo or any other object may not obscure the driver's view ahead or to the right or left sides, interfere with the free movement of his/her arms or legs, prevent his/her free and ready access to accessories required for emergencies, or prevent the free and ready exit of any person from the vehicle's cab or driver's compartment.

In addition, drivers of trucks and truck tractors must inspect the cargo and the devices used to secure the cargo within the first 50 miles after beginning a trip. Adjustments are to be made to the cargo or load securement devices as necessary, including adding more securement devices, to ensure that cargo cannot shift on or within, or fall from the commercial motor vehicle. Reexamine the commercial motor vehicle's cargo and its load securement devices during the course of transportation and make any necessary adjustments whenever:

- The driver makes a change of his/her duty status; or
- The vehicle has been driven for 3 hours; or
- The vehicle has been driven for 150 miles, whichever occurs first.

5.0 Incident Management, Reporting, Analysis & Tracking

TRAFFIC ACCIDENT

- Assess & secure the scene – make sure scene is safe before entering.
- Assess need for medical assistance – if needed, call 911.
- Don't move an injured person unless his/her life is in immediate danger.
- Call for someone trained in 1st aid/CPR & retrieve 1st aid kit.
- (you may offer 1st aid/CPR if currently certified & capable)

- If able to move vehicles, pull safely to side of road & notify police.
- Notify office of incident.
- Exchange information with other parties & identify witnesses.
- Submit all information, statements and police reports with Incident Report
- Make note to yourself of any damage or possible injuries.
- Do not admit guilt, accuse, argue or become confrontational.

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5.1 **Reporting.**

Drivers shall, within 24 hours of occurrence, report all motor vehicle incidents to the office, regardless of how minor they may seem or whether or not there were any immediate injuries or property damage. The driver shall also complete a Motor Vehicle Incident Report.

All serious incidents (injuries, significant property damage) shall be immediately reported to and reviewed by executive management.

5.2 **Fatal accidents – commercial vehicles.**

WCI management shall notify the PA Bureau of Transportation & Safety within 24 hours of the accident. A copy of the police report shall be maintained on file for at least one year.

5.3 **Accident register – commercial vehicles.**

WCI management shall maintain an accident register on file for one year following the year of record. The accident register shall, for each accident, list:

- Date of accident,
- City & state in closest proximity to accident,
- Driver name,
- Number of injuries,
- Number of fatalities, and
- Whether hazardous materials were released (other than fuel from fuel tanks)

5.4 **Incident analysis & preventive action.**

WCI management shall analyze the report to determine contributing causes and appropriate preventive measures. Results of the analysis shall be reviewed with the driver involved in the incident, as well as other drivers who would benefit from the information.

WCI management shall document on the incident report form all preventive measures that have been or need to be instituted. The documentation should include the name(s) of the persons who are assigned responsibilities & anticipated date of completion.

5.5 **External communications & statements.**

Only authorized company personnel are permitted to make statements to the media or public. Please refer all questions to these persons.

5.6 **Trends and rates.**

Safety performance and motor vehicle incident rates shall be calculated and reported to everyone during annual refresher training.

6.0 ***Fleet Vehicle Management***

6.1 **Emergency equipment.**

Each company vehicle shall be equipped with the following safety/emergency equipment. Driver is responsible for maintaining these supplies in a ready-to-use state.

- First aid kit with supplies to prevent contact with blood or bodily fluids
- Flashlight
- Reflective safety vest
- Rotating beacon or flashing strobe
- Fire extinguisher (minimum 2A:20B:C rating)
- Reflective triangles and flares
- Incident report forms & instructions

6.2 **Inspection.**

All company vehicles shall be inspected annually in accordance with state law.

6.3 **Maintenance.**

Non-commercial vehicles – To be serviced every 7,500 miles and otherwise in accordance with manufacturer recommendations. It is the responsibility of the driver to arrange for servicing. Service records for non-commercial vehicles are to be forwarded to the shop foreman for recordkeeping.

Commercial vehicles – To be serviced every 7,500 miles and otherwise in accordance with manufacturer recommendations. All maintenance schedules will be tracked and documented by the shop foreman.

6.4 **Qualification of service and repair personnel.**

All fleet vehicles shall be maintained and/or repaired by a qualified automotive service technician. Qualification may be attained through training, experience or a combination of the two.

6.5 **Modifications.**

Company vehicles may not be modified unless such modification is authorized by WCI management and it has been determined that the modification will not effect vehicle safety and/or safety devices. This includes, but is not limited to:

- Stereo/radio/communications equipment
- Hitches
- Plows
- Window tinting
- Navigation systems



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- Security systems
- Accessibility aids
- Cargo containment means or racks
- Material handling means
- Change of tire or rim size
- Change of body configuration
- Increase in carrying/hauling capacity of vehicle or trailer

Where modifications are permitted, they shall be within the limits specified by the vehicle manufacturer.

6.6 Vehicle replacement.

The following criteria shall be consulted to assess the need for company vehicle replacement:

- Time in service (total mileage or hours)
- Maintenance cost and frequency
- Condition of vehicle
- Operational requirements
- Operating environment
- Safety of vehicle

6.7 Vehicle acquisition.

Persons involved with vehicle rental, lease and acquisition shall in part base their decisions on the following safety considerations:

- Suitability for designed (and needed) purpose
- Crashworthiness
- Cargo capacity & load position
- Towing capacity
- Ease of access, movement within and ability to work from/in vehicle
- Access and manipulation of cargo to minimize bending, stretching, lifting
- Safety features
(ABS, front/side airbags, stability systems, rear vision/detection devices, collision avoidance devices, event data recorders, night vision devices, exterior mirror systems, flashing beacons)

6.8 Routing & scheduling.

Dispatch shall be responsible for planning and evaluating vehicle routes and work schedules with respect to the following parameters:

- Time required to safely complete trip (within jurisdictional speed limits)
- Physical constraints of roadway to be travelled (clearances, restrictions, etc.)

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- Road construction
- Traffic conditions
- Road surface & weight restrictions
- Weather

7.0 Recordkeeping & Documentation

7.1 Record of authorized drivers.

WCI will maintain a list of all authorized fleet vehicle drivers, including the vehicles they are authorized to operate. This list will be updated annually, or more often as may be warranted.

7.2 Driver qualification records.

WCI management shall maintain in each driver's employee file documentation of:

- 7.2.1 Completed WCI employment application form
- 7.2.2 Copy of current drivers license
- 7.2.3 Copy of most recent annual review
- 7.2.4 Most current MVR check for each state in which a drivers license was held**
- 7.2.5 Pertinent medical and drug testing records
- 7.2.6 Copy of complaints, evaluations, corrective/disciplinary actions, etc.
- 7.2.7 Fleet safety training documentation (if not maintained elsewhere)

** For each MVR check, a note shall be placed in the file that indicates who performed the check and on what date.

CDL holders – The file shall also include:

- 7.2.8 Written record of inquires to & responses from previous employers & state DOT's**
- 7.2.9 Driver notification of traffic violations
- 7.2.10 The medical examiner's certificate of physical
(Required prior to initial commercial driving and thereafter at least every 24 months or if ability to drive may be impaired due to injury or disease)

** Office shall document that at least 3 attempts were made to obtain this information.

This documentation will be maintained for the duration of the driver's employment and for at least three years thereafter. Following the three year period, items 7.2.8 through 7.2.10, as well as the note required for 7.2.4 can be purged from the file.

7.3 Training & continuing education.

All records of training shall document: trainee names, date(s) of training, location of training, name of trainer and outline of training subject matter. Training documentation shall be kept for the term of driver employment plus at least 1 year thereafter.

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7.4 Vehicle maintenance records.

Fleet vehicle maintenance and service records shall document work/service completed, where work was done & when (date & mileage). Records shall be kept for duration of vehicle fleet service and for at least 1 year after being sold.

Commercial vehicle post-trip inspection forms (Driver's Vehicle Inspection Report) must be turned into the shop daily and kept on file for at least 90 days.

7.5 Accident investigation & analysis records.

All records of accident investigation and analysis shall be kept on file for at least five years following the close of any claims.

7.6 List of forms.

The following forms are used in the administration of this policy:

| Form | Source | Revision Date |
|--|--------------|---------------|
| Record of Authorized Drivers | WCI | 8/07 |
| Medical Examination Report for Commercial Driver Fitness Determination | J. J. Keller | 10/03 |
| Motor Vehicle Driver's Certification of Violations/Annual Review of Driving Record | J. J. Keller | 5/02 |
| Motor Vehicle Incident Report | WCI | 8/07 |
| Driver's Vehicle Inspection Report | WCI | 8/07 |
| CDL Driver's Application for Employment | J. J. Keller | 2/05 |
| Request for Check of Driving Record | J. J. Keller | 1/07 |
| Request for Information From Previous Employer | J. J. Keller | 7/04 |
| Employee Time Cards | WCI | 8/07 |
| Accident Register (Commercial Vehicles) | WCI | 8/07 |

8.0 Policy Review

Annually, the safety administrator shall review this policy to assure its continued effectiveness. Changes that improve effectiveness or regulatory compliance shall be instituted and communicated during annual driver meeting.



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By signing below, I am verifying that I have read, understand and agree to abide by the provisions of the WCI Motor Vehicle Safety Policy.

PRINT NAME: _____

SIGN NAME: _____ DATE: _____

WCI MGMT. SIGNATURE: _____ DATE: _____