



April 30, 2015

Via Electronic Mail

Denise Ferguson, Esq.  
Assistant Attorney General & Principal Counsel  
Maryland Department of Transportation  
7201 Corporate Center Drive  
Hanover, MD 21076

Re: Requirements for Surety Powers of Attorney  
Contract Number T-1402 Ancillary Camden Yards MARC Train (Repairs,  
Maintenance & Minor Construction)

Dear Ms. Ferguson:

The Surety & Fidelity Association of America ("SFAA") is a non-profit corporation whose member companies collectively write the majority of surety and fidelity bonds in the United States. SFAA is a licensed rating or advisory organization in all states and is designated by state insurance departments as a statistical agent for the reporting of fidelity and surety experience. The vast majority of bonds that secure public construction projects are provided by SFAA members.

The National Association of Surety Bond Producers ("NASBP") is a national trade association of companies employing licensed surety bond producers, including licensed resident and nonresident producers placing bid, performance, and payment bonds in the State of Maryland and all jurisdictions.

We have learned that the Maryland Transit Administration ("MTA") is requiring that signatures on the power of attorney accompanying the performance and payment bonds for the captioned project be "wet" signatures. We were told that this requirement is on account of a new policy established by your office.

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A requirement of wet signatures on powers of attorney accompanying surety bonds is atypical and unnecessarily creates a burden on the surety without any countervailing benefit to the Department of Transportation. We respectfully request a meeting with you or whomever in your office oversees power of attorney requirements to discuss this matter in order to identify your concerns and suggest alternatives to meet those concerns without creating an undue burden on sureties and surety agents.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Duke", written over a horizontal line.

Robert J. Duke, Esq., Corporate Counsel  
The Surety & Fidelity Association of America

A handwritten signature in blue ink, appearing to read "Martha L. Perkins", written over a horizontal line.

Martha L. Perkins, Esq., General Counsel  
National Association of Surety Bond Producers