

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	<u>\$150,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$150,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No

Budget Account No: Various

Recommended Sources of Funds/Summary of Fiscal Impact:

	Prior Allocation	Encumbered/ Expended	New Allocation	Total Available
Road & Bridge	\$700,000	< 482,924 >	150,000	\$ 367,076
Water Utilities	\$ 50,000	<0>	<0>	\$ 50,000
Parks & Recreation	\$ 20,000	<0>	<0>	\$ 20,000
Airports	\$ 10,000	<2,598 >	<0>	\$ 7,402
Total	\$780,000	<485,522 >	150,000	\$ 444,478

Allocations are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available.

C. Departmental Fiscal Review: Alice Korolainen

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature]
OFMB 8/13/12

Barbara Wheeler 8-20-12
for Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

**SECOND AMENDMENT TO THE ANNUAL GUARDRAIL
CONTRACT NO. 2011052 DATED OCTOBER 5, 2010 BY
AND BETWEEN SOUTHEAST ATTENUATORS, INC., AND
PALM BEACH COUNTY**

THIS SECOND AMENDMENT to the Annual Guardrail Contract dated October 5, 2010, (R-2010-1488), hereinafter "CONTRACT" by and between Southeast Attenuators, Inc., hereinafter "CONTRACTOR" and the BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter, "COUNTY".

W I T N E S S E T H

WHEREAS, on October 5, 2010, the CONTRACTOR and COUNTY entered into an Annual Guardrail Contract for furnishing and installing guardrail and other related tasks throughout Palm Beach County; and

WHEREAS, on October 4, 2011, (R-2011-1480) the CONTRACTOR and COUNTY mutually agreed to an extension of the Contract through October 5, 2012; and

WHEREAS, Section 32 of the contract provides that the contract may be extended, at the COUNTY'S option for a defined period of time, not to exceed thirty-six months total contract time, upon approval of the Board of County Commissioners; and

WHEREAS, by this amendment, the CONTRACTOR and the COUNTY mutually agree to extend the CONTRACT from October 5, 2012 to October 5, 2013, with all original terms, conditions and unit prices adhered to, except as amended; and

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

1. The above recitations are true and correct and incorporated herein;
2. The CONTRACT, dated October 5, 2010, between the CONTRACTOR and the COUNTY is hereby extended from October 5, 2012 to October 5, 2013, and;
3. The CONTRACT amount, indicated in the CONTRACT, Page C-1, Paragraph 2, is increased by \$150,000 to a total of \$930,000;

It is the intent of the parties hereto that this Agreement shall not become binding until the date executed by the COUNTY

All other provisions of the Annual Guardrail Contract dated October 5, 2010, and as previously amended, shall remain in full force and effect.

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**ANNUAL GUARDRAIL CONTRACT
PALM BEACH COUNTY PROJECT NO. 2011052
EXTENSION AMENDMENT**

Page 2

IN WITNESS WHEREOF, the parties have caused this Contract to be executed and sealed the day and year first written above.

ATTEST:
SHARON R. BOCK
Clerk and Comptroller

PALM BEACH COUNTY, a Political
Subdivision of the State of Florida
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS



COUNTY ATTORNEY



ENGINEERING

ATTEST:

SOUTHEAST ATTENUATORS, INC.
Contractor



Secretary or Asst. Secretary

By: Debra Ricci - President
(Signature & Title)

(Seal)

Debra Ricci - President
(Print Name & Title)

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Travelers Casualty and Surety Company of America
Hartford, Connecticut 06183

CONTINUATION CERTIFICATE FIDELITY OR SURETY
BONDS/POLICIES

In consideration of *\$15,357.00 dollars renewal premium, the term of Bond/Policy #**104982140 in the amount of ~~100~~ issued on behalf
***SOUTHEAST ATTENUATORS, INC. 760 HOOPER RD. PALM BEACH
of *** whose address is WEST PALM BEACH, FL 33411 in favor of COUNTY in connection with ****PROJECT 2011052
hereby extended to 10/5/13, subject to all covenants and conditions of said bond/policy. ****GUARDRAIL MAINTENANCE
ON ROADWAYS IN PALM BEACH
COUNTY

This certificate is designed to extend only the term of the bond/policy. It does not increase the amount which may be payable thereunder. The aggregate liability of the Company under the said bond/policy together with this certificate shall be exactly the same as, and no greater than it would have been, if the said bond/policy had originally been written to expire on the date to which it is now being extended.

Signed, sealed and dated ¹² JULY 30TH ~~2010~~

*****PER CONTRACT EXTENTION AGREEMENT, ACTUAL BOND AMOUNT REMAINS AT \$50,000.00 AND TOTAL CONTRACT PRICE IS \$930,000.00.

Travelers Casualty and Surety Company of America

By:


GARY A. CARDINALE Attorney-in-Fact

NOTARIAL JURAT

INDIVIDUAL ACKNOWLEDGEMENT

State of _____]
County of _____] ss:
On this _____ day of _____, _____, before me personally appeared _____
known to me to be the person _____ described in and who executed the foregoing instru-
ment, and _____ duly acknowledged to me that _____ executed the same.

Notary Public

PARTNERSHIP ACKNOWLEDGEMENT

State of _____]
County of _____] ss:
On this _____ day of _____, _____, before me personally appeared _____
known to me to be a member of the firm of _____
described in and which executed the foregoing instrument, and _____ thereupon
acknowledged to me that _____ executed the same as and for the act and deed of said firm.

Notary Public

CORPORATION ACKNOWLEDGEMENT

State of _____]
County of _____] ss:
On this _____ day of _____, _____, before me personally appeared _____
to me known, who being by me duly sworn, did depose and say: that _____ resides
at _____; that _____ is _____
of the corporation described in and which executed the foregoing instrument; that _____
knows the seal of said corporation; that the seal affixed to said instrument is such
corporate seal; that it was so affixed by order of the Board of Directors of said
corporation; and that _____ signed his name thereto by like order.

Notary Public

SURETY ACKNOWLEDGEMENT

State of NEW YORK]
County of ERIE] ss:
On this 30TH day of JULY, 2012, before me personally appeared _____
GARY A. CARDINALE
to me known, who being by me duly sworn, did depose and say: that _____ resides in the
City of BUFFALO; that _____ is the _____
ATTORNEY-IN-FACT of the above signed surety, the
corporation described in and which executed the within instrument; that _____ knows the
corporate seal of said corporation; that the seal affixed to said instrument is such
corporate seal; that it was so affixed by order of the Board of Directors of said corpora-
tion; and that _____ signed his name thereto by like order.

Danielle D. Barclay

Notary Public

DANIELLE D. BARCLAY
Notary Public
State of New York
My Appointment Expires July 24th 2014

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF JUNE 30, 2011

CAPITAL STOCK \$ 8,480,000

ASSETS		LIABILITIES & SURPLUS	
CASH AND INVESTED CASH		UNEARNED PREMIUMS	
BONDS	\$ 1,14,672,285	LOSSES	\$ 799,704,180
INVESTMENT INCOME DUE AND ACCRUED	3,546,592,212	REINSURANCE PAYABLE ON PAID LOSSES & LOSS ADJ. EXPENSES	941,839,863
OTHER INVESTED ASSETS	48,888,552	LOSS ADJUSTMENT EXPENSES	2,254,067
PREMIUM BALANCES	422,372,168	COMMISSIONS	518,743,294
NET DEFERRED TAX ASSET	270,881,422	TAXES, LICENSES AND FEES	21,534,250
REINSURANCE RECOVERABLE	61,045,090	OTHER EXPENSES	54,624,898
RECEIVABLES FROM PARENT, SUBSIDIARIES AND AFFILIATES	15,379,846	FUNDS HELD UNDER REINSURANCE TREATIES	19,842,342
SECURITIES LENDING REINVESTED COLLATERAL ASSETS	60,449,587	CURRENT FEDERAL AND FOREIGN INCOME TAXES	94,887,688
UNDISTRIBUTED PAYMENTS	5,022,088	REMITTANCES AND ITEMS NOT ALLOCATED	38,210,145
OTHER ASSETS	4,506,704	AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	18,181,415
	12,518	RETROACTIVE REINSURANCE RESERVE ASSUMED	28,557,328
		POLICYHOLDER DIVIDENDS	3,378,189
		PROVISION FOR REINSURANCE	6,951,585
		PAYABLE FOR SECURITIES	5,357,827
		PAYABLE FOR SECURITIES LENDING	24,898,853
		CEDED REINSURANCE NET PREMIUMS PAYABLE	5,022,088
		ESCHEAT LIABILITY	(38,778,093)
		OTHER ACCRUED EXPENSES AND LIABILITIES	853,441
		TOTAL LIABILITIES	314,201
			\$ 2,543,878,949
		CAPITAL STOCK	\$ 8,480,000
		PAID IN SURPLUS	433,805,780
		OTHER SURPLUS	1,565,473,183
		TOTAL SURPLUS TO POLICYHOLDERS	\$ 2,005,756,923
TOTAL ASSETS	\$ 4,549,833,872	TOTAL LIABILITIES & SURPLUS	\$ 4,549,833,872

STATE OF CONNECTICUT)
 COUNTY OF HARTFORD) SS.
 CITY OF HARTFORD)

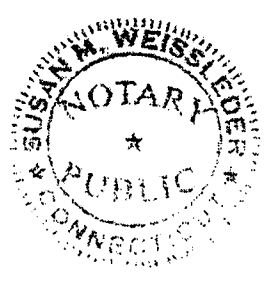
MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS SECOND VICE PRESIDENT, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 30TH DAY OF JUNE, 2011.

Michael J. Doody
 SECOND VICE PRESIDENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS
 15TH DAY OF SEPTEMBER, 2011

Susan M. Weissleder
 NOTARY PUBLIC

SUSAN M. WEISSLEDER
 Notary Public
 My Commission Expires November 30, 2012



WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 216224

Certificate No. 004540899

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota. that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Gary A. Cardinale, and Danielle Barclay

of the City of Cheektowaga, State of New York, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 16th day of September 2011

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 16th day of September 2011, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.



[Signature]
Marie C. Tetreault, Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

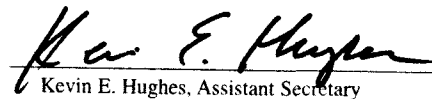
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 30th day of July, 2012.


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER