Agenda Item #: **34-3**

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: December 17, 2013

[X] Consent [] Workshop [] Regular[] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 3 to the contract with Hedrick Brothers Construction Company, Inc. (R2012-1000) in the amount of \$425,181 for the construction of a Wi-Fi System located at the Main Detention Center (MDC) on Gun Club Road.

Summary: The addition of the WiFi system in the Jail facility will provide the Palm Beach County Sheriff's Office (PBSO) pharmacy an efficient and controlled method of dispensing and tracking inmate medications as the pharmacist moves throughout the facility. In the future the use of WiFi may be expanded to provide information to staff throughout the facility increasing the efficiency of service distribution and reducing inmate transport. The majority of the work in this Amendment is electrical, is a similar type work, and requires access to and work to be performed in both inmate occupied and non-occupied areas of the facility; thus paralleling the video visitation system install authorized in Amendment No. 1. By combining the two, the County realized general condition cost savings and PBSO realized manpower efficiencies in terms of providing escorts. The Small Business Enterprise (SBE) goal for this contract is 15%. Hedrick Brothers SBE participation for this Amendment is 9.69%. The Amendment will be fully funded through PBSO. Hedrick Brothers Construction Company, Inc. and all subcontractors are Palm Beach County firms. (Capital Improvements Division) <u>Countywide/District 2</u> (JM)

Background and Justification: On July 16, 2013, the Board approved Amendment No. 1 to the continuing services contract with Hedrick Brothers Construction (R2013-0888) authorizing infrastructure for the video visitation at the Main Detention Center for inmate visitation. Amendment No. 3 will authorize Hedrick Brothers Construction Company, Inc. to construct WiFi system to assist with mobile distribution of medication to inmates and maintain a more secure control of the medications being distributed. This work will be done simultaneously with work contained in Amendment No. 1 which will reduce the general conditions cost of Amendment No. 3.

Attachments:

- 1. Location Map
- 2. Budget Availability Statement
- 3. Amendment No. 3

Recommended by:	Annu WOLF	12/4/13
	Department Director	Date
Approved by:	ARU	(410/1)
A	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	<u>\$425,181</u>	0	0	0	0
Operating Costs	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match (County)	0	0	0	0	0
NET FISCAL IMPACT	<u>\$425,181</u>				
# ADDITIONAL FTE					
POSITIONS (Cumulative)					
. , ,					

Is Item Included in Cu	irrent Bi	idget?	Yes	<u> </u>	No_				
Budget Account No:	Fund	3804		Dept _	411	Unit_	<u>B</u> 569-34	Object	4907

Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This project is funded entirely from the Sheriff's annual budget.

C. Departmental Fiscal Review:

12-5.13

III. <u>REVIEW COMMENTS</u>:

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

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OFMB AU A

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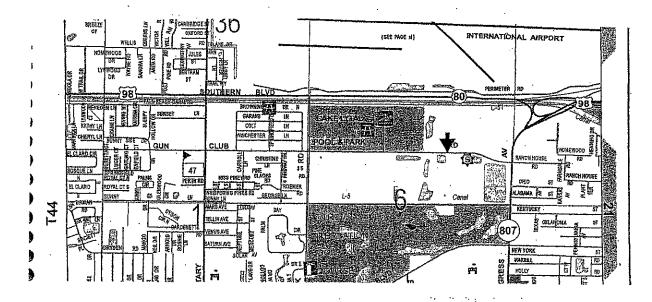
B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.



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LOCATION MAP

PBSO MAIN DETENTION CENTER VIDEO VISITATION

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FACILITIES DEVELOPMENT & OPERATIONS BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 11/25/13 REQUESTED BY: Mike McPherson PHONE: 233-0278 FAX: 233-0270

PROJECT TITLE: Main Detention Center WiFi System

BCC RESOLUTION#: R-2012-1000

PROJECT NO.: 13221

DATE: 7/10/2012

ORIGINAL CONTRACT AMOUNT: NA -- Annual

REQUESTED AMOUNT: \$425,181

CSA or CHANGE ORDER NUMBER: Amendment #3

CONSULTANT/CONTRACTOR: Hedrick Brothers Construction PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

Construction costs for the WiFi System.

CONSTRUCTION	\$ <u>425,181</u>
PROFESSIONAL SERVICES	\$
STAFF COSTS** (Design/Construction Phase)	\$
MISC. (permits, geo-tech, survey, pre-construction	
services, contingency)	\$
TOTAL	\$ 425,181

** This is an estimate of staff charges. Actual(s) will be billed at the end of each fiscal year. If this BAS is for construction costs of \$250,000 or greater, staff charges will be billed as actual and reconciled at the end of the project.

BUDGET A	<u>CCOUNT NI</u>	IMBER (IF KNOWN)	, 77	
FUND:	DEPT:	UNIT: $B560$ 3804-411-B575- (ECK ALL THAT APPLY):	OBJ: 34-4907	
FUNDING S	SOURCE (CH	ECK ALL THAT APPLY):	AD VALOREM	□ OTHER
			🗖 FEDERAL/DAVI	S BACON
SUBJECT T BAS APPRO		IYES INO	DATE: 11/25/13	
	ANCE NUMI	3FD.		
ENCUMBE	AITCE ITUMI	JEN		

AMENDMENT NO. 3 TO CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES MAIN DETENTION CENTER WIFI SYSTEM PROJECT NO. 13221

WHEREAS, the Owner and Construction Manager (Hedrick Brothers Construction Company, Inc.) acknowledge and agree that the Contract between Owner and Construction Manager dated 07/10/12 (R2012-1000) is in full force and effect and that this merely supplements said Contract;

WHEREAS, the parties hereto entered into a Contract between Owner and Construction Manager whereby the Construction Manager has rendered or will render pre-construction services as specified therein; and

WHEREAS, the parties have negotiated a Guaranteed Maximum Price, including Construction Managers fees for construction and warranty services and other services as set forth herein and in the Contract;

WHEREAS, the Construction Manager represents that the Construction Manager, Subcontractors, material and equipment suppliers have compared Phasing, Demolition, Architectural, Structural, Mechanical, Electrical, Plumbing, Civil and Site Drawings and Specifications and have compared and reviewed all general and specific details on the Drawings and that all conflicts, discrepancies, errors and omissions, which are within the commonly accepted knowledge based of a licensed general contractor, subcontractor, trades persons, manufacturers or other parties required to carry out the Work involved in this Amendment, have been corrected or clarified prior to execution of this GMP Amendment to the Contract, and therefore Construction Manager warrants that the GMP (exclusive of contingency) includes the cost of correcting all conflicts, discrepancies, errors, or omissions which Construction Manager identifies, or should have identified through the exercise of reasonable skill and care, during the preconstruction phase of this Contract.

WHEREAS, the Construction Manager's review and comparison of all Drawings has taken into consideration the total and complete functioning of all systems and therefore the Construction Manager represents that the GMP represents the total cost for complete and functional systems.

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and the sums of money agreed to be paid by the Owner to the Construction Manager, the parties agree as follows:

(1) GUARANTEED MAXIMUM PRICE

Pursuant to Article 2.2 and Article 6 of the Contract between Owner and Construction Manager, the parties have agreed to the establishment of a Guaranteed Maximum Price of **\$425,181** for the construction costs of WiFi system at the Main Detention Center. Refer to Exhibit A.

(2) SCHEDULE OF TIME FOR COMPLETION

Pursuant to Article 5.3, Construction Manager shall substantially complete the project within 695 calendar days of receiving the Notice to Proceed with construction work from the Owner. Liquidated Damages are \$110.00/day for failure to complete within the contract time or approved extension thereof.

(3) ATTACHMENTS: Exhibit A - GMP Proposal Public Construction Bond Form of Guarantee Insurance Certificate(s) IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSTRUCTION MANAGER has hereunto set its hand the day and year above written.

ATTEST: SHARON R. BOCK, CLERK & COMPTROLLER

By:

Deputy Clerk

PALM BEACH COUNTY BOARD, FLORIDA Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS

By:_

Priscilla A. Taylor, Mayor

APPROVED AS TO TERMS

Director - FD&O

AND CONDITIONS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Βv County Attorney

WITNESS: FOR CONSTRUCTION MANAGER SIGNATURE

Male Signature

CHANLES R. SCHEELE Name (type or print)

CONSTRUCTION MANAGER: HEDRICK BROTHERS CONSTRUCTION COMPANY,

INC. Signature

weret Name (type or print)

-fRGGIN 57 Title

(Corporate Seal)

	. PALM	BEACH COUNTY	<u> </u>	
CON	STRUCTION CHANGE PROPOSAL (CC	P)	·	
TO:	Palm Beach County Board of County Commissioners	CCP NUMBER:		······································
	Facilities Development & Operations 2633 Vista Parkway	DATE:	PBC-MDC VIDEO VIST	TATION
	West Palm Beach, FL 33411	PROJECT NUMBER: CONTRACT NUMBER:	P.B. Co. # 11205	
ATTE	ITION: Mr. Mike McPherson, PB Co. Project Manager	CONTRACT NUMBER,		
REFE	RENCE: FB #02/2-A: Wifi Systems – Phase I & II	·····		
and e	ibed herein. Except as modified below, the orig ffect. CRIPTION:	mar contract and an prior a	monuments sign fer	nam in tun torce

	elete installation of WiFi Systems for Phase I an 3: A 5% Contingency is included. Insurance, P			Contingency as
NOTI outlin	elete installation of WiFi Systems for Phase I an B: A 5% Contingency is included. Insurance, P ed by the Contract. Itemization included in the ications are included. See separate attached doo	&P Bond and OH&P are N attached HB COR #01. Al	OT included on the	
NOT	E: A 5% Contingency is included. Insurance, P ed by the Contract. Itemization included in the	&P Bond and OH&P are N attached HB COR #01. Al cument.	OT included on the so, Change Order sp) \$	
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SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE PRIME AND/OR SUBCONTRACTOR PARTICIPATION

PROJECT NAME OR BID NAME:PBSO MDC VIDEO VISITATION PH 1 & 2	PROJECT NO, OR BID NO.:11205
NAME OF PRIME BIDDER: <u>Hedrick Brothers Construction Co., Inc.</u>	ADDRESS: 2200 Centrepark West Drive, Suite 100, West Palm Beach, FL 33409
CONTACT PERSON: <u>Charles Scheele, Project Manager</u>	PHONE NO.: <u>561 - 689 - 8880</u> FAX NO.: <u>561 - 689 - 8860</u>
CCP #:001	USER DEPARTMENT:

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUMBITTED WITH BID PACKET. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SBE -M/WBE SUBCONTRACTORS ON THIS PROJECT. IF THE PRIME IS AN SBE-M/WBE, PLEASE ALSO LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME ON THIS PROJECT. THE PRIME AFFIRMS THAT IT WILL MONITOR THE SBES LISTED TO ENSURE THE SBES PERFORM THE WORK WITH ITS OWN FORCES.

	(Cheek one or bo <u>M/WBE</u>	th Categories) <u>SBE</u>		DOLLAR AMOL	JNT OR PERCNT	AGE OF WORK	
Name, Address and Phone Number	Minority Business	Small Business	Black	Hispanie	Women	Caucasian	Other (Please Specify).
 INTRANET COMMUNICATIONS GROUP 3500 NW 2nd Ave #727 Boea Raton, FL 33431 Phone: (561) 367 - 7276 		Ŋ	stan en skrifteter som				\$ 41,205.00
2.						ου δρογομικός το	999 York
3.							
4.							Ann 1990 (1991), Ann an Ann
(Please use additional sheets if necessary)	то	TAL					\$ 41,205.00
Fotal Bid Price \$ 425,181.00	,	Total SBE-M/WI	E Particination D	ollar Amount or Percen	taga of Wark S	41,205,00	

Signature

1. The amount listed on this form for a subcontractor must be supported by price or percentage listed on the signed Schedule 2 or signed proposal in order to be counted toward goal

2. Firms may be certified by Palm Beach County as an SBE and/or and M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount or percentage

Charles Scheele, Project Manager

Title

Revised 9/7/2011

I hereby certify that the above information accurate to the best of my knowledge: ¿

under the appropriate category.

3. M/WBE information is being collected for tracking purposes only.

attainment.

Note:



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Change Order Request

detailed with breakdown of PCO's, grouped by each number, with budget codes

To:	Michael McPherson Palm Beach Co. Board of Co. Comm. Facilities Development & Operations 2633 Vista Parkway West Palm Beach, FL 33411		Hedr 2200		Construction Co., West Drive, Suite , FL 33409	•
Descrip	tion			Category	Status	
FB #2/2-,	A: WiFi Systems - Phase I & II			Owner Direc	tive Pending	n in an
Referen	Ce Ce		Required By		Days Req 0 \$	Amt Re 425,181.0
ەئىسمىسىمانىشىە. 96-15-ي ھىز. 95-15 ي	etin #02/02-A	<u>195</u>				
PCO No	Date Reference		Amt Prop) Days Rec	Category	Reason
Descrip	lion	Nö	tes		Maria da Jata	
001	11/19/2013	\$	425,181.00	0	Change Order	Owner Directive
FB #2/2-A	x: WiFi Systems - Phase I & II					
tem No	Item Description		Amt Prop	Reference	Buc	iget Code
001	General Conditions: Temp. Protection & Dust Control	\$	11,500.00			3
)02	General Conditions: Equipment Rental (Allowance)	Ş	8,000.00			
03	General Conditions: Tools & Equipment	\$	4,500.00			
04	General Conditions: Progress & Final Clean-Up	\$	12,500.00			
05	Demolition (Allowance)	\$	20,500.00			
06	Patching & Painting (Allowance)	\$	17,500.00			
07	Acess Panel (Allowance)	\$	10,500.00			
08	X-Ray (Allowance)	\$	10,000.00			
09	Electrical	\$	274,705.00			
10	Conlingency (5%)	Ş	18,485.00			
evel 1	Contractor's Fee (7%)	\$	27,173.00			
evel 2	Liability Insurance (1,1%)	5	4,569.00			
Level 3	Payment & Performance Bond (1.25%)	3 Ş	4,569.00 5,249.00			

ISSUED IN TWO (2) ORIGINAL COUNTERPARTS

PUBLIC CONSTRUCTION BOND

BOND NUMBER:089678	57
BOND AMOUNT:\$425,18	31.00
CONTRACT AMOUNT:	\$425,181.00
CONTRACTOR'S NAME:	HEDRICK BROTHERS CONSTRUCTION CO., INC.
CONTRACTOR'S ADDRESS	
CONTRACTOR'S PHONE:	WEST PALM BEACH, FL 33409 561-689-8880
SURETY COMPANY:	FIDELITY AND DEPOSIT COMPANY OF MARYLAND
SURETY'S ADDRESS:	1400 AMERICAN LANE, TOWER I, 19 th FLOOR, SCHAUMBURG, IL 60196
OWNER'S NAME:	PALM BEACH COUNTY CAPITAL IMPROVEMENTS DIVISION
OWNER'S ADDRESS:	2633 Vista Parkway West Palm Beach, FL 33411-5604
OWNER'S PHONE:	(561) 233-0278 (Mike McPherson, Project Manager for PBC)
DESCRIPTION OF WORK:	Install new WiFi System throughout facility.
PROJECT LOCATION:	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406

LEGAL DESCRIPTION: 6-44-43, PT OF SEC LYG S OF & ADJ TO GUN CLUB RD & W OF & ADJ TO CONGRESS AVE R/WS K/A CRIMINAL JUSTICE COMPLEX & ANNEX

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Contract

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto

Palm Beach County Board of County Commissioners 301 N. Olive Avenue West Palm Beach, Florida 33401

as Obligee, herein called County, for the use and benefit of claimant as hereinbelow defined, in the amount of FOUR HUNDRED TWENTY FIVE THOUSAND ONE HUNDRED EIGHTY-ONE AND 00/100 DOLLARS (\$ 425,181.00).

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Principal has by written agreement entered into a contract with the County for

Project Name:	PBC MDC WiFi System
Project No.:	13221
Project Description:	Install new WiFi System throughout facility.
Project Location:	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406

in accordance with Design Criteria Drawings and Specifications prepared by

NAME OF ARCHITECTURAL FIRM: LOCATION OF FIRM:

Leo A. Daly Company 1400 Centrepark Blvd., Suite 500 West Palm Beach, FL 33401

PHONE: 561-688-2111 FAX: 561-697-8040

which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract between Principal and County for the construction of PBC Central Detention Center the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and

2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and

3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, that County sustains because of a default by Principal under the contract; and

4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.

6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.

7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the contract are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety

acknowledge that any such provisions lie within their obligations and within the policy coverages and limitations of this instrument.

8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.

9. Any action brought under this instrument shall be brought in the court of competent jurisdiction in Palm Beach County and not elsewhere.

20 Witnees

Witzess Paglino

Hedrick Brothers Consequetion Co., Inc.

Principal Dale R. Hedrick

PRESIDENT Title

Fidelity and Deposit Company of Maryland

Surety (Seal) Title Poter F. Jones, Attorney-In-Fact & d Resident Agent

(Seal)

FORM OF GUARANTEE

GUARANTEE FOR HEDRICK BROTHERS CONSTRUCTION COMPANY, INC. AND FIDELITY AND DEPOSIT COMPANY OF MARYLAND

We the undersigned hereby guarantee that the (PALM BEACH COUNTY MAIN DETENTION CENTER, #13216) Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of our work, together with any work of others which may be damaged in so doing, that may prove to be defective in the workmanship or materials within a period of one year from the date of Substantial Completion of all of the above named work by the County of Palm Beach, State of Florida, without any expense whatsoever to said County of Palm Beach, ordinary wear and tear and unusual abuse or neglect excepted by the County. When correction work is started, it shall be carried through to completion.

In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) working days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand.

DATED

(Date to be filled in at substantial completion)

SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY

Hedrick Brothers Construction Co., Inc. (Contractor) (Seal) By: (Signature) Fidelity and Deposit Company of Maryland (Surety) (Seal) By: (Signature) Peter F. Jones, Attorney-In-Fact & El sed Resident Agent

CORPORATE ACKNOWLEDGEMENT

Form 152

State of FLORIDA

County of PALM BEACH

On this <u>5TH</u> day of <u>DECEMBER</u>, 2013 before me personally came <u>DALE HEDRICK</u>, to me known, who, being by me duly sworn, did depose and say that he resides in <u>WEST PALM BEACH, FL</u> that he is the <u>PRESIDENT</u> of the

HEDRICK BROTHERS CONSTRUCTION CO., INC.

The corporation described in and which executed the above instrument; that he knows that seal of said corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

(SEAL)

Notary Public - State of Florida

NOTARY STAMP:



CORPORATE ACKNOWLEDGMENT

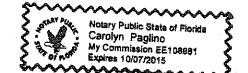
State of County of

Florida Palm Beach

On this 5th	day of	December	and hafana ma
personally came	Peter F Jones		, 2013 before me
who, being by m	e duly sworn, a	did depose an	d say that he/she resides in
VV	est Paim Beach, FL		
that he/she is the	Attorney-In-Fact	**************************************	of the
Fidelity and Deposit Co	ompany of Maryland		

the corporation described in and which executed the above instrument; that he/she knows that 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 he/she signed his/her name thereto by like order.

(SEAL)



ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by GEOFFREY DELISIO, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Peter F. JONES, of Palm Beach Gardens, Florida, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York, the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY of MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 6th day of November, A.D. 2012.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Vice President Geoffrey Delisio

Juin D. Barry

Assistant Secretary Eric D. Barnes

State of Maryland City of Baltimore

On this 6th day of November, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, GEOFFREY DELISIO, Vice President, and ERIC D. BARNES, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance a. Dunn

Constance A. Dunn, Notary Public My Commission Expires: July 14, 2015

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, <u>Attorneys-in-Fact</u>. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify of revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile/under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 5 day of <u>December</u>, 20/3.





of Carroll

James M. Carroll, Vice President

FIDELITY AND DEPOSIT COMPANY OF MARVLAND 600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

Statement of Financial Condition As Of December 31, 2012

ASSETS

Jonds		
Sonis	\$	157,177,826
Stocks		23,000,311
Reinsurance Recoverable	F=	119,155
N'her Accounts Receivable	••	17,923,564
Total Anteres Access	**	35,473,256
and a care of a produced a same of a state of a second construction of the second	3	233,694,113
Total Admiried Assets		70 173

LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Texes and Expenses	
Reserve for Taxes and Expenses	
Ceded Reinsurance Premiums Payable	48,323,524
Securities Lending Collateral Liability	1,716,240
Capital Stock, Paid Lin	50,114,546
Servins 5 5,000,000	
Surplus	
Surplus as regards Pelicyholders.	183,579,567
lota:	233,694,113

Scentrics carried at \$59,468,002 in the above statement are deposited as required by Law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners - On the basis of Detember 31, 2012 market qualations for all bonds and stocks owned, the Company's total admitted assets would be \$243,518,971 and surplus as regards policyholders \$193,404,425.

1. DENNISF, KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2012.

Corporate Secretary

State of Illurois SS: Cuy of Schaumburg

Subscribed and mora in Estars are a beary Public of the State of Himole, in C e City of Selecuaborg, this 15th day of March, 2713.

Netury Fuelis DFFIC AL SEAL DARRY_JUNER DARRY_JUNER Notary Public - State of Minols L'y Commission Explica May 3-2011

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				i	12/11/2013
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ELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONS	STITUTE A	CONTRACT	BETWEEN	THE ISSUING INSURE	BY THE POLICIES
EPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDE	R.				
PORTANT: If the certificate holder is an ADDITIONAL INSURE	D, the polic	y(ies) must l	e endorsed	If SUBROGATION IS V	VAIVED, subject to
e terms and conditions of the policy, certain policies may require ertificate holder in lieu of such endorsement(s).	an endorse	ement. A sta	tement on ti	his certificate does not	confer rights to the
DUCER License # 0C36861	CONTA NAME:	CT Melissa	Beckworth		
sonville-Alliant insurance Services, Inc.	PHONE (A/C, N	o. Ext); (904) 3	88-1988	FAX (A/C, No)	(904) 388-8199
isonville, FL 32207	E-MAIL ADDRE	_{ss:} mbeckw	orth@allia	nt.com	
					NAIC #
	INSURE	RA: Ameris	ure insura	nce Company	19488
RED	INSURE	RB;			***************************************
Hedrick Brothers Construction Co., Inc.	INSURE	RC:			
2200 Centrepark West Drive Suite 100	INSURE	IR D :			
West Palm Beach, FL 33409	INSURE	\$RE:			
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VERAGES CERTIFICATE NUMBER:	CALL COLL	PP51 100-1	TO TIL	REVISION NUMBER:	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BEI NDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONT SERVICE OF THE DESCRIPTION OF	DITION OF A	INY CONTRA	CT OR OTHER	2 DOCUMENT WITH DECE	
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		0100100000		EACH OCCURRENCE	<u>s 1,000,000</u>
X COMMERCIAL GENERAL LIABILITY X GL2046458		6/30/2013	6/30/2014	PREMISES (Ea occurrence)	<u>s</u> 300,000
CLAIMS-MADE X OCCUR				MED EXP (Any one person)	ls 10.000
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Atlantic Pacific Insurance-PBG 11382 Prosperity Farms Rd #123 Palm Beach Gardens, FL 33410 Jake Jacobson					PHONE (A/C, No, Ext): 800-538-0487 E-MAIL ADDRESS:				(A/C, No): 561-626-3153		
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