

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: May 5, 2020

Consent

Regular

Ordinance

Public Hearing

Department: Engineering and Public Works

Submitted By: Engineering and Public Works

Submitted For: Road and Bridge Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Work Order 2018051-107 in the amount of \$473,000 to mill and resurface the residential streets within the San Castle subdivision utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger).

SUMMARY: Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvement. Prior to this work order, approximately \$18 million of Ranger's \$31.4 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of applicable certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5% for the remainder of the current contract term. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.2% for all the work orders issued under the Contract. District 7 (YBH)

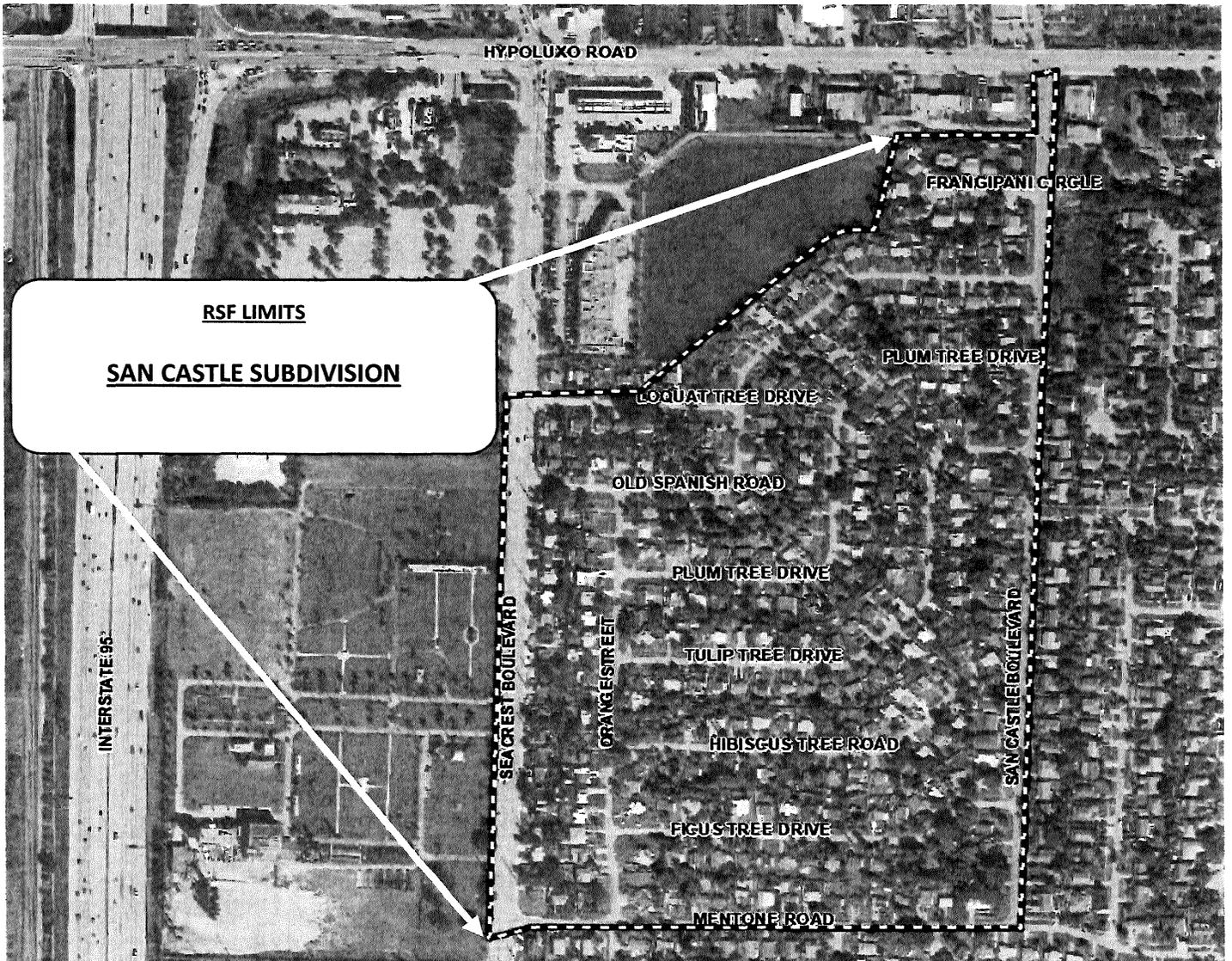
Background and Justification: The County desires to construct the improvement in accordance with the attached work order. The budget for the improvement includes striping and marking costs of \$10,000, bringing the total fiscal impact to \$483,000.

Attachments:

1. Location Map
2. Work Order 2018051-107 with Exhibits "A", "B", "C" (3)

Recommended by:  3/23/2020
County Engineer **Date**

Approved By:  3/26/20
Assistant County Administrator **Date**



LOCATION MAP

**WORK ORDER TO THE
ANNUAL MILLING AND RESURFACING CONTRACT
BY AND BETWEEN PALM BEACH COUNTY
AND RANGER CONSTRUCTION INDUSTRIES, INC. FOR
THE RESIDENTIAL STREETS WITHIN THE
SAN CASTLE SUBDIVISION
WORK ORDER: # 2018051-107**

This Work Order to the Contract for Annual Milling and Resurfacing (R2018-1533), dated October 16, 2018 (**ANNUAL CONTRACT**) is made and entered into the _____ day of _____, 20____, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (**COUNTY**) and RANGER CONSTRUCTION INDUSTRIES, INC. (**CONTRACTOR**) (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the **COUNTY** and **CONTRACTOR** entered into an **ANNUAL CONTRACT** on a work order basis on October 16, 2018 (R 2018-1533) as amended on October 22, 2019 (R2019-1591); and

WHEREAS, the **COUNTY** desires the **CONTRACTOR** to mill and resurface the residential streets within the San Castle subdivision in Palm Beach County, Florida ("**IMPROVEMENTS**"); and

WHEREAS, the **CONTRACTOR** agrees to construct the **IMPROVEMENTS** in accordance with the terms and conditions of the **ANNUAL CONTRACT**, as amended, and as directed and accepted by the Engineering Department, Road & Bridge Division; and

Re: **MILL AND RESURFACE THE RESIDENTIAL STREETS WITHIN
THE SAN CASTLE SUBDIVISION**

Work Order No.: **2018051-107**

WHEREAS, based on the pricing agreed to in the **ANNUAL CONTRACT**, as amended, the Parties agree that a cost not to exceed \$473,000 is appropriate compensation for the services to be performed by the **CONTRACTOR** to construct the **IMPROVEMENTS**.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of the mutual benefits that flow from each to the other, the Parties hereto agree as follows:

1. The above recitals are true and are incorporated herein.
2. The **CONTRACTOR** agrees to construct the **IMPROVEMENTS** in accordance with the **ANNUAL CONTRACT**, as amended, and as further described in **Exhibit "A"**.
3. The **COUNTY** agrees to pay the **CONTRACTOR** a fee not to exceed \$473,000 to construct the **IMPROVEMENTS**. Final payment shall be per documented quantities installed.
4. The following Exhibits are attached to and made part of this Work Order:
 - a) **Exhibit A** - Work Order Request and Scope/Cost Estimate; and
 - b) **Exhibit B** - OEBO Schedules 1 and 2; and
 - c) **Exhibit C** - Public Construction Bond

INTENTIONALLY LEFT BLANK

Re: **MILL AND RESURFACE THE RESIDENTIAL STREETS WITHIN THE SAN CASTLE SUBDIVISION**

Work Order No.: **2018051-107**

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Work Order for the **IMPROVEMENTS**, pursuant to the **ANNUAL CONTRACT**, as amended, on behalf of the **COUNTY**, and **CONTRACTOR** has hereunto set its hand the day and year above written.

OWNER:

Palm Beach County, Florida, a Political Subdivision of the State of Florida

CONTRACTOR:

Ranger Construction Industries, Inc., a Florida Corporation

BOARD OF COUNTY COMMISSIONERS

BY: _____
Dave Kerner, Mayor

BY:  _____
James Moretz
Vice President
(Printed Name and Title)

ATTEST:
Sharon R. Bock, Clerk & Comptroller
Circuit Court

C O R P O R A T E S E A L

BY: _____
Deputy Clerk

WITNESS:

S E A L

BY:  _____
BEATRIX RAMIREZ
(Printed Name)

APPROVED AS TO TERMS AND CONDITIONS:

BY:  _____

BY:  _____
Terry Basher
(Printed Name)

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

Yelizaveta Herman, Assistant County Attorney



**PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
ENGINEERING & PUBLIC WORKS DEPARTMENT
P. O. BOX 21229, WEST PALM BEACH, FL 33416-1229**

REQUEST:	REQUESTING DIVISION:	INFORMATION:
<input checked="" type="checkbox"/> WORK ORDER NO. <u>2018051-107</u>	<input type="checkbox"/> ROAD & BRIDGE	DATE <u>2/14/2020</u>
<input type="checkbox"/> NEW AUTHORIZATION	<input type="checkbox"/> TRAFFIC	REQUESTOR <u>Mark Kroeger</u>
<input type="checkbox"/> CHANGE ORDER NO. _____	<input type="checkbox"/> ROADWAY PRODUCTION	COMMISSION DISTRICT NO: <u>7</u>
<input type="checkbox"/> SUPPLEMENTAL NO. _____	<input type="checkbox"/> CONSTRUCTION COOR.	RESOLUTION NO: <u>R 2018-1533</u>
<input type="checkbox"/> OTHER: _____	<input type="checkbox"/> STREETScape	PBC PO NUMBER: <u>Amended by R2019-1591</u>

PROJECT LOCATION/LIMITS: The residential streets within the San Castle subdivision
PROJECT NUMBER: 2020259 **BUDGET LINE ITEM:** 3500-363-R002-300-4612
CONTRACT NO: 2018051 **CONTRACT DATE:** October 22,2019

CONTRACTOR/CONSULTANT/VENDOR: Ranger Construction Industries, Inc. **VENDOR #** RANG0001
CONTACT: Beatriz Ramirez **CONTACT PHONE NUMBER:** 561-793-9400

Details: In accordance with your contract, as amended, you are to provide the following services: Mill and pave streets as directed. A separate NTP will be issued directing the contractor to commence work within five (5) working days.
 The contract duration for this work request is 30 days.

This work shall be coordinated with, (48 hours prior to beginning of work)
 Mark Kroeger, Construction Project Manager R&B (561)-233-3962

The total amount of this request, per the attached documentation, is not to exceed \$ 473,000
 The Affirmative Procurement Initiative set for this contract was 15 % SBE participation goal. A waiver was issued on 1/17/2020 to reduce SBE goal to 5%. The estimated SBE participation for this request is 5 %. The cumulative SBE participation to date for this Contract including this request is 9.2 %.

Name: Mark Kroeger Title: Project Manager Telephone Number: 561-233-3962

CONTRACTOR/CONSULTANT/VENDOR APPROVALS Please indicate your receipt of this Work Order by signing and returning a duplicate copy.	Please sign below and submit with invoice at the completion of the project. Project completed in compliance with Contract and Project Specifications.
_____ Signature	_____ Signature
_____ Date	_____ Date
_____ Printed Name and Title	_____ Printed Name and Title

PALM BEACH COUNTY APPROVALS	BOARD APPROVAL? _____ Date: _____
_____ Division Approval	_____ Budget Approval
_____ Date	_____ Date
_____ Assistant County Engineer	_____ Contract Review Committee (when required) Date
_____ Date	



THE RESIDENTIAL STREETS WITHIN THE SAN CASTLE SUBDIVISION

EXHIBIT A - SCOPE/COST ESTIMATE

DATE: 2/12/2020

Project Description:		RANGER CONTRUCTION ANNUAL MILL AND RESURFACING #2018051		Road Maintenance District:		3
Project Location:		THE RESIDENTIAL STREETS WITHIN THE SAN CASTLE SUBDIVISION		Commission District:		7
Item #	Item Description	Unit	Unit Price	Quantity	Amount	
28	MILL EXSITING ASPHALT PAVEMENT (1") - RESDENTIAL ROADWAYS	SY	\$2.00	43,000	\$86,000.00	
31	RESIDENTIAL ROADWAYS	TN	\$120.00	2,700	\$324,000.00	
26	PORTABLE MILLING MACHINE	HR	\$230.00	4	\$920.00	
32	SURCHARGE TO DELIVER MILLINGS TO PBC STOCKPILE SITE USING CONTRACTOR VEHICLES	CY	\$2.00	50	\$100.00	
35	ADJUST VALVE BOX & MISC STRUCTURES	EA	\$95.00	1	\$95.00	
25	OFF DUTY POLICE OFFICER	HR	\$70.00	1	\$70.00	
				SUBTOTAL:	\$411,185.00	
				CONT:	\$61,815.00	
				TOTAL:	\$473,000.00	

STRIPING: \$10,000

OEBO SCHEDULE 1

LIST OF PROPOSED CONTRACTOR/CONSULTANT AND SUBCONTRACTOR/SUBCONSULTANT PARTICIPATION

SOLICITATION/PROJECT/BID NAME: ANUAL MILLING AND RESURFACING SOLICITATION/PROJECT/BID No.: 2018051
 NAME OF PRIME RESPONDENT/BIDDER: RANGER CONSTRUCTION ADDRESS: 101 SANSBURY'S WAY, WEST PALM BEACH, FL
 CONTACT PERSON: BEATRIZ RAMIREZ PHONE NO.: 561 793 9400 E-MAIL: beatriz.ramirez@rangerconstruction.com
 SOLICITATION OPENING/SUBMITTAL DATE: OCTOBER 16, 2018 DEPARTMENT: ENGINEERING AND PUBLIC WORK

PLEASE LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME CONTRACTOR/CONSULTANT ON THIS PROJECT. PLEASE ALSO LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SUBCONTRACTORS/SUBCONSULTANTS ON THE PROJECT.

Name, Address and Phone Number	(Check all Applicable Categories)			DOLLAR AMOUNT OR PERCENTAGE OF WORK				
	Non-SBE	M/WBE Minority/Women Business	SBE Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. SIRDAR TRUCKING	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____	_____	\$20,560.00
2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
(Please use additional sheets if necessary)			Total	_____	_____	_____	_____	\$20,560.00
Total Bid Price \$ <u>\$411,185.00 (San Castle subdivision)</u>			Total SBE - M/WBE Participation	<u>\$20,560.00 (5%)</u>				

I hereby certify that the above information is accurate to the best of my knowledge: _____
 Signature: [Signature] Title: VICE PRESIDENT

- Note:
- The amount listed on this form for a Subcontractor/subconsultant must be supported by price or percentage listed on the properly executed Schedule 2 or attached signed proposal.
 - Firms may be certified by Palm Beach County as an SBE and/or an M/WBE. If firms are certified as both an SBE and/or M/WBE, please indicate the dollar amount under the appropriate category.
 - Modification of this form is not permitted and will be rejected upon submittal.

OEBO LETTER OF INTENT – SCHEDULE 2

A completed Schedule 2 is a binding document between the Prime Contractor/consultant and a Subcontractor/subconsultant (for any tier) and should be treated as such. The Schedule 2 shall contain bolded language indicating that by signing the Schedule 2, both parties recognize this Schedule as a binding document. All Subcontractors/subconsultants, including any tiered Subcontractors/subconsultants, must properly execute this document. Each properly executed Schedule 2 must be submitted with the bid/proposal.

SOLICITATION/PROJECT NUMBER: 2018051

SOLICITATION/PROJECT NAME: ANNUAL MILLING AND RESURFACING

Prime Contractor: RANGER CONSTRUCTION Subcontractor: _____

(Check box(s) that apply)

SBE WBE MBE M/WBE Non-S/M/WBE Date of Palm Beach County Certification (if applicable): MAY 7 2021

The undersigned affirms they are the following (select one from each column if applicable):

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	<input type="checkbox"/> African-American/Black <input checked="" type="checkbox"/> Asian American <input type="checkbox"/> Caucasian American	<input type="checkbox"/> Supplier
	<input type="checkbox"/> Hispanic American <input type="checkbox"/> Native American	

S/M/WBE PARTICIPATION – S/M/WBE Primes must document all work to be performed by their own work force on this form. Failure to submit a properly executed Schedule 2 for any S/M/WBE participation may result in that participation not being counted. Specify in detail, the scope of work to be performed or items supplied with the dollar amount and/or percentage for each work item. S/M/WBE credit will only be given for the areas in which the S/M/WBE is certified. A detailed proposal may be attached to a properly executed Schedule 2.

Line Item	Item Description	Unit Price	Quantity/ Units	Contingencies/ Allowances	Total Price/Percentage
	Haul milled asphalt	\$75	274.10		\$20,560.00

The undersigned Subcontractor/subconsultant is prepared to self-perform the above-described work in conjunction with the aforementioned project at the following total price or percentage: \$20,560.00 (5%) San Castle Subdivision

If the undersigned intends to subcontract any portion of this work to another Subcontractor/subconsultant, please list the business name and the amount below accompanied by a separate properly executed Schedule 2.

Name of 2nd/3rd tier Subcontractor/subconsultant

Price or Percentage: _____

RANGER CONSTRUCTION INC.
Print Name of Prime

By: [Signature]
Authorized Signature

JAMES MORETZ
Print Name

VP
Title

Date: 3/18/2020

SIRDAR TRUCKING INC.
Print Name of Subcontractor/subconsultant

By: [Signature]
Authorized Signature

Phoolmattie Sirdar
Print Name

President
Title

Date: 2/18/20



GEORGE H. FRIEDLANDER COMPANY
Bonds & Insurance

1566 Kanawha Blvd., East 25311
PO Box 2466, Charleston, WV 25329
Telephone: 304/357-4520 * Fax: 304/345-8724

447 Montreal Ave., Melbourne, FL 32935
PO Box 10356, Melbourne, FL 32936
Telephone: 321/254-8477 * Fax 321/988-0209

February 18, 2020

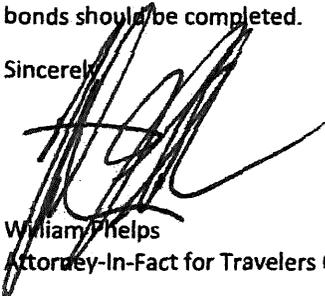
Palm Beach County Engineering & Public Works Department
Roadway Production Division
2300 N. Jog Road
West Palm Beach, FL 33411

Re: Ranger Construction Industries, Inc.
Bond Number: 107181324
Public Construction Bond

To Whom It May Concern,

As the Surety Company for Ranger Construction Industries, Inc. we have executed the captioned bond. Since the contract date is unknown, we have left the bonds undated. As a duly authorized Attorney-in-Fact for the Surety, Travelers Casualty and Surety Company of America, permission is hereby granted to fill in the contract date on the bonds and power of attorney when the date is known. Also, the "signed and sealed" date on the bonds should be completed.

Sincerely,



William Phelps

Attorney-in-Fact for Travelers Casualty and Surety Company of America

PUBLIC CONSTRUCTION BOND

BOND NUMBER: 107181324
BOND AMOUNT: \$473,000.00
CONTRACT AMOUNT: \$473,000.00

CONTRACTOR'S NAME: Ranger Construction Industries, Inc.
CONTRACTOR'S ADDRESS: 101 Sansbury's Way
West Palm Beach, FL 33411
CONTRACTOR'S PHONE: 561-793-9400

SURETY COMPANY: Travelers Casualty and Surety Company of America
SURETY ADDRESS: One Tower Square
Hartford, CT 06183
SURETY PHONE: 800-842-5075

OWNER'S NAME: Palm Beach County
OWNER'S ADDRESS: 2300 North Jog Road, Suite 3W-33
West Palm Beach, FL 33411-2745
OWNER'S PHONE: 561-684-4150

PROJECT NO.: Work Order 2018051-107
DESCRIPTION OF WORK: San Castle Subdivision
Asphalt Mill and Resurface

PROJECT LOCATION: San Castle Subdivision
LEGAL DESCRIPTION: No legal description is available. The best description available is
as indicated on the Project Location above.

PUBLIC CONSTRUCTION BOND

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 herein below defined, in the amount of:

\$ 473,000.00

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 dated _____, 20____, entered into a contract with the County for:

Project Name: San Castle Subdivision
Project No.: Order 2018051-107
Project Description: See Page PCB-1
Project Location: See Page PCB-1

in accordance with Design Criteria Drawings and Specifications prepared by:

Name of Engineering/Architectural Firm: TBD
Location of Firm: TBD
Phone: TBD
Fax : TBD

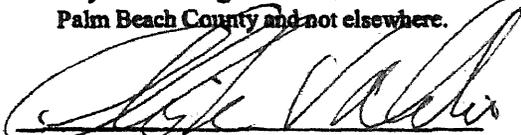
which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

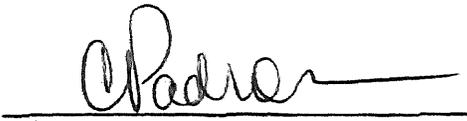
1. Performs the contract dated _____ between Principal and County for the construction of the project as described above, the contract being made part of this bond by reference, at the times and in the manner prescribed in the contract; and
2. Promptly makes payments to all claimants, as defined in Section 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

PUBLIC CONSTRUCTION BOND

- 3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorney's 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 state court of competent jurisdiction in Palm Beach County and not elsewhere.



 Witness

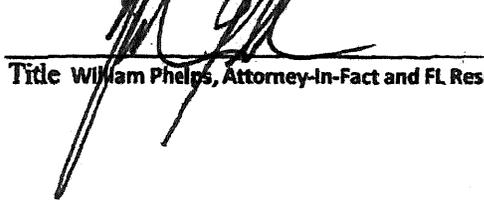


 Witness

Ranger Construction Industries, Inc.
 Principal (Seal)



 Title James W. Moretz, Vice President
Travelers Casualty and Surety Company of America
 Surety (Seal)



 Title William Phelps, Attorney-in-Fact and FL Resident Agent

PUBLIC CONSTRUCTION BOND

PROJECT NO.: Work Order 2018051-107

DESCRIPTION OF WORK: San Castle Subdivision
Asphalt Mill and Resurface

PROJECT LOCATION: San Castle Subdivision

SURETY COMPANY: Travelers Casualty and Surety Company of America

SURETY ADDRESS: One Tower Square
Hartford, CT 06183

SURETY PHONE: 800-842-5075

BOND NUMBER: 107181324

BOND AMOUNT: \$473,000.00

CONTRACT AMOUNT: \$473,000.00

As the Surety Company for Ranger Construction Industries, Inc. we have executed the captioned bond. Because the contract date is unknown, we have left the bond(s) undated. As a duly authorized Attorney-in-Fact for the Surety, Travelers Casualty and Surety Company of America, permission is hereby granted to Palm Beach County to fill in the contract date on the bond(s) when that date is known. Also, the "signed and sealed" date on the bond(s) should be completed.

	Travelers Casualty and Surety Company of America Travelers Casualty and Surety Company St. Paul Fire and Marine Insurance Company
---	--

POWER OF ATTORNEY

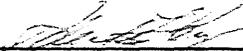
KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **William Phelps of Melbourne, Florida** their true and lawful Attorney-in-Fact 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 3rd day of February, 2017.



State of Connecticut

City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the 3rd day of February, 2017, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance 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, 2021




Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance 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 Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance 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 remains in full force and effect.

Dated this _____ day of _____




Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.