# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### AGENDA ITEM SUMMARY

Meeting Date: Fe	ebruary 9, 2021	[X ] Consent [ ] Ordinance	[ ] Regular [ ] Public Hearing		
Department: E	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 2018051-152 in the amount of \$1,173,000 to mill and resurface Hypoluxo Road from Jog Road to Military Trail 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 improvements. Prior to this meeting date, approximately \$36 million of Ranger's \$48.5 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 qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. District 3 (YBH)

**Background and Justification:** The County intends to construct the improvements in accordance with the attached work order. The budget for the improvements includes striping and marking costs of \$107,000, bringing the total fiscal impact to \$1,280,000.

#### Attachments:

- 1. Location Map
- 2. Work Order 2018051-152 with Exhibits "A", "B", "C" (3)

Recommended by: YBH	22 Med	1-8-2021
	County Engineer	Date
Approved By:	Far	1/55/51
	Assistant County Administrator	Date

#### II. FISCAL IMPACT ANALYSIS

#### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	<b>\$ -0-</b>	0		0	
Operating Costs	\$1,280,000	-0-	-0-	-0-	-0-
<b>External Revenues</b>	-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	\$1,280,000	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No Does this item include the use of federal funds? Yes No X

#### Budget Account No:

Fund 3900 Dept 363 Unit R121-102 Object 4612

#### Recommended Sources of Funds/Summary of Fiscal Impact:

Capital Outlay Fund
Pavement Mgmt/Roadway Striping FY2021
Hypoluxo Rd from Jog Rd to Military Trail

Annual Contract

Asphalt & Milling Striping and Marking Fiscal Impact \$ 1,173,000.00 \$ 107,000.00 \$ 1,280,000.00

C.	<b>Departmental</b>	Fiscal	Review:

III. REVIEW COMMENTS

Α.	7	OEMB	Fiscal	and/or	Contract	Dev.	and	Control	Comm	ents:
	17	,			_				/	1

P 1/11

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

1/22/21

C. Other Department Review:

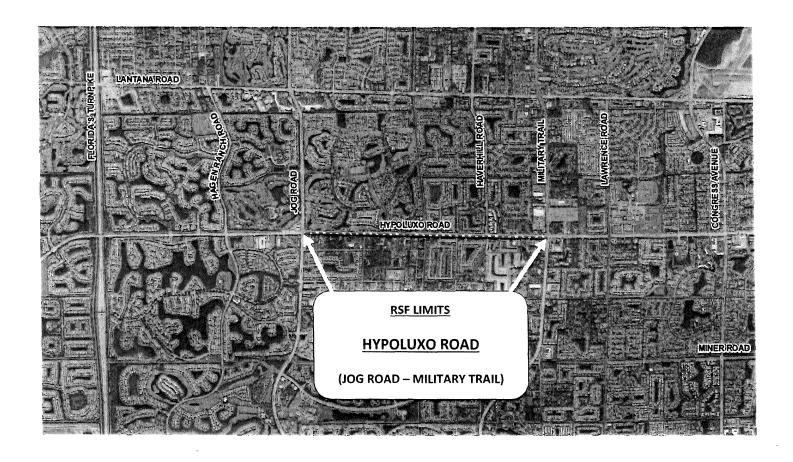
Department Director

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

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# WORK ORDER # 2018051-152 TO THE ANNUAL MILLING AND RESURFACING CONTRACT BY AND BETWEEN PALM BEACH COUNTY AND RANGER CONSTRUCTION INDUSTRIES, INC. FOR HYPOLUXO ROAD FROM JOG ROAD TO MILITARY TRAIL

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 (R2018-1533) as amended on October 22, 2019 (R2019-1591) and June 2, 2020 (R2020-0539); and

WHEREAS, the COUNTY desires the CONTRACTOR to mill and resurface Hypoluxo Road from Jog Road to Military Trail 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: HYPOLUXO ROAD FROM JOG ROAD TO MILITARY TRAIL

Work Order No.: 2018051-152

WHEREAS, based on the pricing agreed to in the ANNUAL CONTRACT, as amended, the Parties agree that a cost not to exceed \$1,173,000 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".
- The COUNTY agrees to pay the CONTRACTOR a fee not to exceed \$1,173,000 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: HYPOLUXO ROAD FROM JOG ROAD TO MILITARY TRAIL

Work Order No.: 2018051-152

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:	CONTRACTOR:
Palm Beach County, Florida, a Political Subdivision of the State of Florida	Ranger Construction Industries, Inc., a Florida Corporation
BOARD OF COUNTY COMMISSIONERS	
BY: Dave Kerner, Mayor	BY:
	Jamie Timming, General Manager (Printed Name and Title)
ATTEST: Joseph Abruzzo, Cierk & Comptroller Circuit Court	CORPORATE S E A L
BY: Deputy Clerk	WITNESS:
SEAL	BY:
o E // E	Turry Book
	(Printed Name)
APPROVED AS TO TERMS AND CONDITIONS:	D: D - C. pa.
BY:	BY: / WSTUD JOH
APPROVED AS TO FORM & LEGAL SUFFICIENCY:	CRISTINA LOLLI (Printed Name)
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:  WORK ORDER NO. 2018051-152  NEW AUTHORIZATION CHANGE ORDER NO SUPPLEMENTAL NO OTHER:	REQUESTING DIVISION: ROAD & BRIDGE TRAFFIC ROADWAY PRODUCT CONSTRUCTION COC	DATE December of REQUESTOR Thom COMMISSION DISTOR. RESOLUTION NO:	as Coppini RICT NO: 3
PROJECT LOCATION/LIMITS: Hypol	uxo Road from Jog Road to	Military Trail	K2U2U-U539
PROJECT NUMBER: 2021205		<b>BUDGET LINE ITEM: </b> 3900-	363-R121-102-4612
CONTRACT NO: 2018051		CONTRACT DATE: Octobe	er 16, 2018
CONTRACTOR/CONSULTANT/VEND CONTACT: Beatriz Ramirez		dustries, Inc. VENDO CONTACT PHONE NUMBER	OR # _RANG0001 R: _561-793-9400
Details: In accordance with your con			
as directed. A separate NTP will be in The contract duration for this work in	······································	or to commence work with	in five (5) working days.
The total amount of this request The Affirmative Procurement Initiati on1/17/2020 that reduced SBE goal participation to date for this Contract	ve set for this contract was to 5%. The estimated SBE part including this request is	15 % SBE participation go articipation for this request 8.8 %	al. A waiver was issued is <u>5%</u> . The cumulative SBE
Name: Thomas Coppini	Title: Project Manager	Telephone N	lumber: 561-233-3962
CONTRACTOR/CONSULTANT/VENDO Please indicate your receipt of this We and returning a duplicate copy.		Please sign below and submompletion of the project. compliance with Contract a	Project completed in
Signature	Date	Signature	Date
Printed Name and Title	-	Printed Name and Title	
PALM BEACH COUNTY APPROVALS		BOARD APPROVAL?	Date:
Division Approval	Date	Budget Approval	Date
Assistant County Engineer	Date	Contract Review Committee	e (when required) Date



### Hypoluxo Road from Jog Road to Military Trail

#### **EXHIBIT A - SCOPE/COST ESTIMATE**

DATE: 11/16/2020

		י בי	11/10/2020				
Project	roject Description: RANGER CONTRUCTION ANNUAL MILL AND RESURFACING #2018051 Road Maintenance District:						
Proj	Project Location: Hypoluxo Road from Jog Road to Military Trail Commission District:						
Item #		Item Description	Unit	Unit Price	Quantity	Amount	
1	MILL EXSIT	ING ASPHALT PAVEMENT (1")	SY	\$1.90	121,377	\$230,616.30	
9	SUPERPAVI	E ASPHALTIC CONCRETE (SP-9.5 TRAFFIC LEVEL C) (>800 TON ORDERS)	TN	\$110.00	7,587	\$834,570.00	
25	OFF DUTY I	POLICE OFFICER	HR	\$70.00	1	\$70.00	
26	PORTABLE	MILLING MACHINE	HR	\$230.00	4	\$920.00	
32	SURCHARG	E TO DELIVER MILLINGS TO PBC STOCKPILE SITE USING CONTRACTOR VEHICLES	CY	\$2.00	50	\$100.00	
35	ADJUST VA	LVE BOX & MISC STRUCTURES	CY	\$95.00	1	\$95.00	
		통한 경험 등 기계			SUBTOTAL:	\$1,066,371.30	
		사람들 기를 가는 것이 되었다. 그는 사람들은 사람들은 사람들은 사람들은 사람들이 되었다.			CONT:	\$106,628.70	
					TOTAL:	\$1,173,000.00	

STRIPING: \$107,000

#### **OEBO SCHEDULE 1**

#### LIST OF PROPOSED CONTRACTOR/CONSULTANT AND SUBCONTRACTOR/SUBCONSULTANT PARTICIPATION

OLICITATION/PROJECT/BID NAME: ANUAL MILLING AND RESURFACING				SOLICITATION/PROJECT/BID No.: 2018051				
NAME OF PRIME RESPONDENT/BIDDER	R: RANGER CONS	TRUCTION		_ ADDRESS	: 101 SANSBURY	'S WAY, WEST PAL	M BEACH, FL	
CONTACT PERSON: BEATRIZ RAMIREZ					IO.: 561 793 9400		E-MAIL: beatriz.r	amirez@rangerconstruction.o
SOLICITATION OPENING/SUBMITTAL D	ATE: OCTOBER 1	6,2018			MENT: ENGINEERI		ORK	
PLEASE LIST THE DOLLAR AMOUI PLEASE ALSO LIST THE DOLLAR A PROJECT.	NT OR PERCEN MOUNT OR PI	ITAGE OF WO	PRK TO BE C	COMPLETED BY TO BE COMPLETED	HE <u>PRIME CON</u> D BY ALL SUBC	ITRACTOR/COM ONTRACTORS/	NSULTANT ON SUBCONSULT	THIS PROJECT.
	(Check <u>Non-SBE</u>	call Applicable Cate M/WBE	gories) SBE		DOLLAR AMO	OUNT OR PERCENTA	GE OF WORK	
Name, Address and Phone Number		Minority/Women Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
L SIRDAR TRUCKING			$\overline{V}$					\$53,318.00
2.				-	-		-	
3.							-	***************************************
4.				*ADDRESS AND ADDRESS AND ADDRE				-
5.				- Manager and Associated Register				-
(Please use additional sheets if necessary)			Total					\$53,318.00
otal Bid Price \$S1,066,371.30 (HYPOLUXO- Jog i	Rd. to Military)			- M/WBE Participation	\$53,318.00 (5	%)		
hereby certify that the above information is acc	urate to the best of r	ny knowledge:		In Mu			General Ma	nager
•				Signature		*		Title

Note:

- 1. 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.
- 2. 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.
- 3. 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

	itractors/sub i/proposal.	consult	ants, must properly e	xecute this doc	ument. Each	properly exe	cuted Schedule 2 m	nust be submitted with
SOLICIT	TATION/PROJ	ECT NU	MBER: 2018051					
SOLICIT	TATION/PROJ	ECT NA	ME: ANNUAL MIL	LING AND I	RESURFA	CING		
			GER CONSTR	RUCTION	Subco	ntractor:		
	box(s) that a		☐M/WBE ☐Non-S,	/M/WBE Da	ate of Palm B	each County C	ertification (if applic	cable): <u> </u>
The un		irms th	ey are the following (s <u>Column 2</u>	elect one from	each column	if applicable	):	Column 3
☐ Male ☐ Female ☐ African-American/Black ☐ Asian American ☐ Caucasian American ☐ Supplier ☐ Hispanic American ☐ Native American						□Supplier		
properli to be pe	y executed Sch erformed or ite	edule 2 ms supp	or any <u>S/M/WBE</u> partic	ipation may resulunt and/or perce	It in that partic entage for each	ipation not bei	ng counted. Specify in M/WBE credit will only	form. Fallure to submit a detail, the scope of work / be given for the areas in
Line Item			Item Description		Unit Price	Quantity/ Units	Contingencies/ Allowances	Total Price/Percentage
			Haul milled asphalt		\$75	710.9		\$53,318.00
ļ								
<u> </u>								
			r/subconsultant is prepa percentage: \$53,318.00				in conjunction with th	l e aforementioned project
	below accom	panied t	subcontract any portion ny a separate properly e ubcontractor/subconsul	xecuted Schedul	e 2.	ntractor/subco	nsultant, please list t	he business name and the
	Ranger Print Name By: Jamie Print Name Genera	of Prime	Authorized Signature	s, Inc	By:	Mochen	TRUCKING  ntractor/subconsultan  Ato Ju  nthorized-Signature  Lucky  2014	du de
							10120	

Revised 09/17/2019



## 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

December 10, 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: 107346569 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

BOND NUMBER:	107346569
BOND AMOUNT:	1,173,000
CONTRACT AMOUNT:	1,173,000
CONTRACTOR'S NAME:	Ranger Construction Industries, Inc.
CONTRACTOR'S ADDRESS:	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 2018051-152
DESCRIPTION OF WORK:	Hypoluxo Road from Jog Road to Military Trail Asphalt Mill and Resurface
PROJECT LOCATION:	Hypoluxo Road from Jog Road to Military Trail
LEGAL DESCRIPTION:	No legal description is available. The best description available is as indicated on the Project Location above.

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 \$ 1,173,000 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. Hypoluxo Road from Jog Road to Military Trail Project Name: Order 2018051-152 Project No.: Project Description: See Page PCB- I 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: 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:

- 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
- 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

- 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.
- 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.

supposh)	Ranger Construction Inudustries, Inc.
	Principal (Seal)
Witness	-hall
Duy Book	Title //
	Travelers Casualty and Surety Company of America
	Surety (Seal)
Witness	
	Title William Phelps, Attorney-In-Fact and FL Resident Agent
	U

PROJECT NO.:	Work Order 2018051-152
DESCRIPTION OF WORK:	Hypoluxo Road from Jog Road to Military Trail Asphalt Mill and Resurface
PROJECT LOCATION:	Hypoluxo Road from Jog Road to Military Trail
SURETY COMPANY:	Travelers Casualty and Surety Company of America
SURETY ADDRESS:	One Tower Square
SURETY PHONE:	Hartford, CT 06183
	800-842-5075
BOND NUMBER: -	107346569
BOND AMOUNT:	\$1,173,000
CONTRACT AMOUNT:	\$1,173,000
-	
captioned bond: Because the authorized Attorney-in-Fact is hereby granted to Palm Be	Ranger Construction Industries, Inc.  we have executed the se contract date is unknown, we have left the bond(s) undated. As a duly for the Surety, Travelers Casualty and Surety Company of America, permission ach County to fill in the contract date on the bond(s) when that date is known. If 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 tosign, 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

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 Assistant Vice President, 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







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.