

EMAIL TRANSMITTAL



FINANCIAL MANAGEMENT
DEPARTMENT
Purchasing Division
1112 Manatee Avenue West
Bradenton, FL 34205

MANATEE COUNTY
FLORIDA

Phone: 941.749.3045
Fax: 941.749-3034
donna.stevens@mymanatee.org

OCTOBER 8, 2013

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

To: Vicki Tessmer, Supervisor
Board Records

From: Donna M. Stevens
Purchasing Office

Date: September 18, 2013

Subject: Change Order # 2 (Final) and the decreased Bond Rider to
Florida Safety Contractors, Inc. & Sons Inc. (T1200127)
IFB# 11-2931-DS (Cortez Road (SR684) @ 26th Street West, Installation of Mast Arms Signals,
Manatee County

Please accept into record the enclosed executed Change Order # 2 (Final) and the recorded decreased Bond Rider with Florida Safety Contractors, Inc., with the mailing address of P.O. Box 16628 Tampa Florida 33617 for Cortez Road (SR684) @ 26th Street West, Installation of Mast Arms Signals, for a final decrease in the contract amount by \$47,499.81 from \$428,141.68 to \$380,641.87. The Change Order # 2 (Final) and the Bond Rider is in accordance with Manatee County Code of Law, Manatee County Purchasing Ordinance and the Standard and Procedures approved by the County Administrator.

Please forward for inclusion in the Board of County Commissioners Consent Agenda, Clerk's Consent Calendar.

Instructions to Board Records:

Recording Confirmation to

Florida Safety Contractors, Inc. P.O. Box 16628, Tampa Florida 33617
(Email: k.reichart@floridasafetycontractors.com)

Donna M. Stevens, Purchasing Division
Eyra Cash, Public Works Department
Towanda Brinson, Clerk of the Circuit Court

Emailed all including contractor 10/9/13/nrd

If you require any additional background or information, please call me at Ext. 3045.

Thank you.

/ds

Attachments to Board Records only: (signed and dated:  9/22/13)

- 1) Change Order # 2 Final (1 copy)
- 2) Term Encumbrance for Change Order # 2 (T1200127)
- 3) Department Memorandum dated September 16, 2013
- 4) Executed Bond Rider

LARRY BUSTLE * MICHAEL GALLEN * JOHN R. CHAPPIE * ROBIN DISABATINO VANESSA BAUGH * CAROL WHITMORE * BETSY BENAC
District 1 District 2 District 3 District 4 District 5 District 6 District 7

DWV

MEMORANDUM



PUBLIC WORKS DEPARTMENT
Project Management
1022 26th Avenue E.
Bradenton, FL 34208

MANATEE COUNTY
FLORIDA

Phone: 941-708-7450
Fax: 941-708-7549
www.myanatce.org

To: Melissa M. Wendel, CPPO, Purchasing Official
From: Jeff Streitmatter III, P.E., Project Management Division Manager
Date: September 16, 2013
Subject: Contract Change Order No. #2 - Final
Cortez Road @ 26th Street West - #6077060
Florida Safety Contractors, Inc.

RECOMMENDATION:

Execution of Change Order No. # 2 - Final to P.O. #T1200127 with Florida Safety Contractors, Inc., decreasing the contract amount by \$47,499.81, from \$428,141.68 to \$380,641.87. The funding source for this contract is Local Option Gas Taxes.

COMPREHENSIVE PLAN/POLICY DETERMINATION:

The services requested are consistent with Comprehensive Plan Goal 5.1, and Manatee County Purchasing Ordinance.

BACKGROUND/DISCUSSION:

- On June 1, 2012, the BCC executed a contract with Florida Safety Contractors, Inc. in the amount of \$345,042.42 for the signal upgrade at the intersection of Cortez Road at 26th Street West.
- ACA #1 was executed by the BCC on June 13, 2013. ACA #1 increased the contract amount by \$8,217.39 due to a drainage inlet and sidewalk repair and added 30 calendar days adjusting the completion for the date to June 11, 2013.
- Change Order No. #1 increases the contract amount by \$74,881.87 to provide for milling and resurfacing of the intersection as recommended by FDOT. CO #1 adds 50 calendar days and adjusts the completion date to July 31, 2013.

LARRY BUSTLE * MICHAEL GALLEN * JOHN R. CHAPPIE * ROBIN DiSABATINO * VANESSA BAUGH * CAROL WHITMORE * BETSY BENAC
District 1 District 2 District 3 District 4 District 5 District 6 District 7

September 13, 2013

Page 2

- Change Order No. #2 – Final decreases the contract amount by \$47,499.81, from \$428,141.68 to \$380,641.87.

JS/ec

cc: Ron Schulhofer, Director, Public Works
Sia Mollanazar, P.E., Deputy Director, Engineering Services
Σ Eyra Cash, P.E., Project Engineer II
Project File: 6077060



**MANATEE COUNTY
Purchasing Division**

1112 Manatee Ave. W., Ste. 803
Bradenton, FL 34205
(941) 749-3014

Term Agreement #: T1200127
Date: 09/18/13
Requested by: CASH/JFY

VENDOR

V017997 (813) 982-9172
FLORIDA SAFETY CONTRACTORS INC
PO BOX 16628
TAMPA, FL 33687

k.reichart@floridasafetycontractors.com

ITEM#	DESCRIPTION	DOLLAR AMOUNT
-------	-------------	---------------

Change Order # 2 in accordance with the terms and conditions
of the IFB# 11-2931-DS

MANATEE COUNTY CONTACT:

EYRA CASH, Project Engineer II,
PHONE: 941-708-7450, EXTENSION 7344
Email: Eyra.Cash@mymanatee.org

***** CHANGE ORDER #2 *****

THIS IS A CHANGE TO THE
ORIGINAL PURCHASE ORDER

** PAPERLESS PURCHASE ORDER **

* NO HARD COPY WILL BE SENT *

** TO CHANGE YOUR EMAIL, **

*** CONTACT THE BUYER ***

*** VENDOR PLEASE NOTE ***

** TO EXPEDITE YOUR PAYMENT **

DOCUMENT PO# ON ALL INVOICES

0004

CO #2 FINAL TO T1200127 - CORTEZ RD @ 26TH
ST W - DECREASING CONTRACT AMOUNT BY
\$47,499.81

ORIGINAL AMOUNT: \$345,042.42

ACA #1: \$8,217.39

CHANGE ORDER #1: \$74,881.87

CHANGE ORDER #2: -\$47,499.81

FINAL TOTAL: \$380,641.87

****CONTINUED****

****CONTINUED****

****CONTINUED****

Agreement Total

Request #:
Reference #:
Buyer:

Approved By:

See Agreement for Remittance Instructions



**MANATEE COUNTY
Purchasing Division**

1112 Manatee Ave. W., Ste. 803
Bradenton, FL 34205
(941) 749-3014

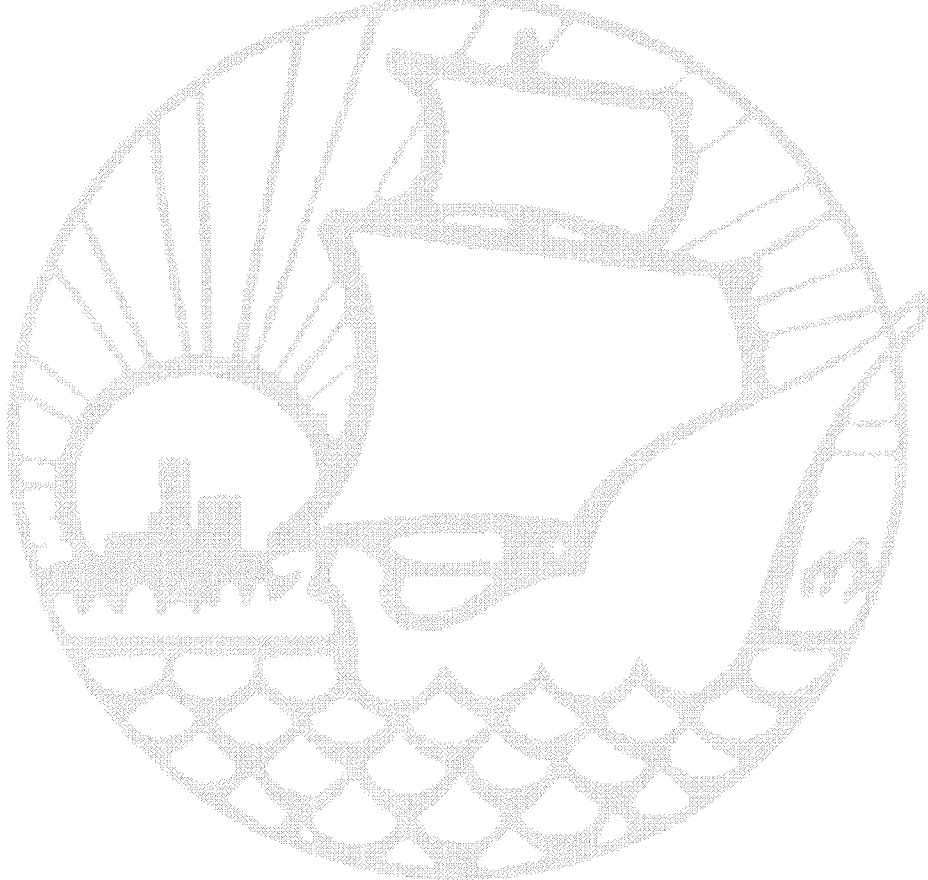
Term Agreement #: T1200127
Date: 09/18/13
Requested by: CASH/JFY

VENDOR

V017997 (813) 982-9172
FLORIDA SAFETY CONTRACTORS INC
PO BOX 16628
TAMPA, FL 33687

k.reichart@floridasafetycontractors.com

ITEM#	DESCRIPTION	DOLLAR AMOUNT
	341-6077060-534000/6077060-0004	-47,499.81



Agreement Total -47,499.81

Request #: R055984
Reference #:





Buyer: DONNA STEVENS CONTRACT SPECIALIST (941) 749-3045

Approved By:

Donna M. Stevens

See Agreement for Remittance Instructions

M. H. ...

CONTRACT CHANGE ORDER (for Total Contract Adjusted Amount Greater than \$1,000,000)		Change Order No.: 2 (Final)	
PROJECT: 425531-1-58-01 Cortez Road (SR 684) @ 26th Street West		Contract Amount: (Present Value)	\$428,141.68
		Project Number:	6077060
NO. OF ITEM	DESCRIPTION OF ITEM AND CHANGE	DECREASE	INCREASE
110-4	Removal of Existing Concrete Pavement Installed 209 SY - Bid 198 SY = 11 SY x \$15.36 =		\$168.96 ✓
334-1-13	Superpave Asphalt Concrete (Traffic C) (3") Installed 4 TN - Bid 1 TN = 3 TN x \$295.37 =		\$886.11 ✓
337-7-31	Asphalt Concrete Friction Course Bid 1 TN - Installed 0 TN = 1 TN x \$295.37 =	\$295.37 ✓	
520-1-10	Concrete Curb & Gutter (Type F) Installed 220 LF - Bid 200 LF = 20 LF x \$20.09 =		\$401.80 ✓
522-1	4" Concrete Sidewalk Installed 223 SY - Field Directive #1 32 SY = 191 SY x \$43.64 =		\$8,335.24
522-2	6" Concrete Sidewalk Bid 315 SY - Installed 73 SY = 242 SY x \$48.44 =	\$11,722.48 ✓	
BY EXECUTION OF THIS CHANGE ORDER THE CONTRACTOR AGREES THAT ALL CLAIMS FOR ADDITIONAL CONTRACT TIME AND FEES FOR THE ITEMS IN THIS CHANGE ORDER HAVE BEEN SATISFIED.			
		TOTAL DECREASE: \$59,240.15	TOTAL INCREASE: \$11,740.34
Contractor:	Florida Safety Contractors, Inc.	THE NET CHANGE OF \$47,499.81	
Address:	P.O Box 16628	ADJUSTS THE CURRENT CONTRACT AMOUNT FROM	
City / State:	Tampa, Florida 33687	\$428,141.68 TO \$380,641.87	
Contractor Signature:		___ CALENDAR DAYS ARE ADDED TO THE	
Date:	9/12/13	WHICH CHANGES THE FINAL COMPLETION DATE TO	
		MONTH, DAY & YEAR.	
RECOMMENDATION, CONCURRENCES AND APPROVALS			
	SIGNATURES	DATE	
Consultant / Engineer:		9-10-13	
Project Manager:		9-12-13	
Division Manager:		9-12-13	
Manatee County Purchasing:	Jeff Strellmattler III, P.E., Project Management Division Manager	9-22-13	
	Melissa M. Wendel, CPPO, Purchasing Official		
	Authority to execute this contract per Manatee County Code, Chapter 2-26, and per the delegation by the County Administrator effective 1/26/2009		

CONTRACT CHANGE ORDER

Page 2 (Continuation)

Change Order No: 2 (Final)

Project Number: 6077060

NO. OF ITEM	DESCRIPTION OF ITEM AND CHANGE	DECREASE	INCREASE
555-1-2	Directional Bore (6" to < 12") (2"HDPE) Installed 357 LF - Bid 350 LF = 7 LF x \$20.52 =		\$143.64 ✓
630-1-11	Conduit (F&I) (Aboveground) (2") Bid 40 LF - Installed 20 LF = 20 LF x \$17.27 =	\$345.40 ✓	
639-2-1	Electrical Service Wire (F&I) Installed 326 LF - Bid 291 LF = 35 LF x \$1.21		\$42.35 ✓
710-11-290	Paint, Standard Yellow, Island Nose Bid 10 SF - Installed 0 SF = 10 SF x \$11.81 =	✓\$118.10	
711-11-123	Thermoplastic Pavement Markings (12" White) Bid 660 LF - Installed 0 LF = 660 LF x \$3.54 =	\$2,336.40 ✓	
711-11-125	Thermoplastic Pavement Markings (24" White) Bid 165 LF - Installed 0 LF = 165 LF x \$4.54 =	\$749.10 ✓	
711-17	Remove Thermoplastic Pavement Markings Bid 2095 SF - Installed 0 SF = 2095 SF x \$4.14 =	\$8,673.30 ✓	
780-1-12	ITS Service Wire Installed 1032 LF - Bid 975 LF = 57 LF x \$1.20 =		\$68.40 ✓
	Field Directive Work	\$35,000.00 ✓	
	Field Directive #1		\$1,693.84
		DECREASE SUBTOTAL: \$47,222.30	INCREASE SUBTOTAL: \$1,948.23

JUSTIFICATION FOR CHANGE

Change Order No : 2 (Final)

Project Number: 6077060

1. NECESSITY FOR CHANGE:

Adjust quantities based on material actually installed during construction.

2. Is change an alternate bid? (yes / no) = No

3. Does change substantially alter the physical size of the project? (yes / no): No
(If yes, explain)

4 Effect of this change on other "Prime" contractors? = None

5 Has the Surety and insurance company been notified, if applicable? It is the contractor's responsibility to notify bonding agency.

Clerk of the Circuit Court - Manatee County
R.B. "Chips" Shore
P.O. Box 25400 Bradenton FL 34206
Visit our website: "www.manateeclerk.com"

FLORIDA SAFETY CONTRACTORS
FRONT COUNTER

RECEIPT
#3 of #3

Thank You - Rec.# 490094856 -
490094856
Case No: 2013 RC 000009 - 2013 RC 000009
Bk./Pg./Doc.# 2490/5109/3194240 -
2490/5110/3194240
09/18/2013 08:51:06
jmoon RECORDING CASH BOOK
VISA 8749325
Total 22.50
Receipt(s) Amount 22.50
Change 0.00

AR PAYOR: Book# Page#
DOC TYPE: BND CALC AMOUNT: \$0.00
PAGES: 2 FILE#
Receipt: 490094856 9/18/13 8:47AM By: HHOEY

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	1.50
R	RECORDING FEES	001	000000341100	0	9.00
R	CLERK CT TECH FUND	199	000000341160	0	3.80
R	FL ASSOC COURT CLERK	001	000000208911	0	0.20
R	BD OF COUNTY COMM	001	000000208912	0	4.00
C	COPIES	001	000000341400	2	2.00
CC	CERTIFYING COPIES	001	000000341400	1	2.00



RECEIPT TOTAL: \$22.50
GRAND TOTAL: \$67.50

Receipt#
490094854 thru 490094856

OFFICE HOURS *****8:30 AM - 5:00 PM
"Pride in Service with a Vision to the Future"

THIS RECEIPT MUST BE VALIDATED BY CENTRAL CASHIERING

BOND RIDER No. 1

To be attached to and form a part of **Bond # 80085443** dated **7/27/12** and issued on behalf of **Florida Safety Contractors, Inc.** as principal and **The Guarantee Company of North America USA** as surety to **Manatee County** as obligee. It is hereby understood and agreed that the bond is changed or revised in the particular manner as listed below:

Bond Amount


From: **\$345,042.42**

To: **\$428,141.68**

This Rider shall become effective as of **July 25, 2013.**

In witness whereof, **The Guarantee Company of North America USA** has caused its corporate seal to hereunto be affixed this **4th day of September, 2013**

The Guarantee Company of North America USA

By: 
Kevin R. Wojtowicz, Attorney-in-Fact



THE GUARANTEE COMPANY OF NORTH AMERICA USA
Southfield, Michigan
POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

*Kevin R. Wojtowicz, Tracey C. Brown, David R. Turcios
Nielson, Wojtowicz, Neu & Associates*

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surely, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31st day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.
4. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 6th day of December 2011, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.



IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 23rd day of February, 2012.

THE GUARANTEE COMPANY OF NORTH AMERICA USA

Stephen C. Ruschak, Vice President

Randall Musselman, Secretary

STATE OF MICHIGAN
County of Oakland

On this 23rd day of February, 2012 before me came the individuals who executed the preceding instrument, to me personally known, and being by me duly sworn, said that each is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and each signature were duly affixed by order of the Board of Directors of



Cynthia A. Takai
Notary Public, State of Michigan
County of Oakland
My Commission Expires February 27, 2018
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

I, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.



IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 4 day of September 2013

Randall Musselman, Secretary

Recorded with
Manatee County Florida Clerk
Access Official Records at
www.ManateeClerk.com

BOND RIDER No. 2

To be attached to and form a part of **Bond # 80085443** dated **7/27/12** and issued on behalf of **Florida Safety Contractors, Inc.** as principal and **The Guarantee Company of North America USA** as surety to **Manatee County** as obligee. It is hereby understood and agreed that the bond is changed or revised in the particular manner as listed below:

Bond Amount


From: **\$428,141.68**

To: **\$380,641.87**

This Rider shall become effective as of **September 10, 2013**

In witness whereof, **The Guarantee Company of North America USA** has caused its corporate seal to hereunto be affixed this **12th day of September, 2013**

The Guarantee Company of North America USA

By: 
Kevin R. Wojtowicz, Attorney-in-Fact



THE GUARANTEE COMPANY OF NORTH AMERICA USA

Southfield, Michigan

POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

Kevin R. Wojtowicz, Tracey C. Brown, David R. Turcios
Nielson, Wojtowicz, Neu & Associates

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31st day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

- 1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.
4. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 6th day of December 2011, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.



IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 23rd day of February, 2012.

THE GUARANTEE COMPANY OF NORTH AMERICA USA

[Signature of Stephen C. Ruschak]

Stephen C. Ruschak, Vice President

[Signature of Randall Musselman]

Randall Musselman, Secretary

STATE OF MICHIGAN
County of Oakland

On this 23rd day of February, 2012 before me came the individuals who executed the preceding instrument, to me personally known, and being by me duly sworn, said that each is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and each signature were duly affixed by order of the Board of Directors of



Cynthia A. Takai
Notary Public, State of Michigan
County of Oakland
My Commission Expires February 27, 2018
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

[Signature of Cynthia A. Takai]

I, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.



IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 12 day of September 2013

[Signature of Randall Musselman]

Randall Musselman, Secretary