



MEMORANDUM

GOE

Agenda Item No. 2(M) Sub

To: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

Date: January 13, 2004

Subject: Island No. 3
Enhancement Project
Project No. 20030045
(DERM) (Formerly
Project No. 693468)

From: George M. Burgess
County Manager

This substitute item is being submitted due to errors, which have been corrected specifically under the Inspector's General (IG) and the deletion of duplicate attachments.

The attached **Recommendation for Award** of a contract between **Marin and Marin Construction, Inc.** and Miami-Dade County has been prepared by the Public Works Department and is recommended for approval.

PROJECT: Island No. 3 Enhancement Project

PROJECT NO.: 20030045 (Formerly 693468)

PROJECT LOCATION: Between the 36th Street Causeway and the Venetian Causeway (West of Intracoastal Waterway).

PROJECT DESCRIPTION: This project consists of the removal of exotic vegetation, placement of ground cover (Sand) and planting of native vegetation on Island #3 and additional planting on Island #1 (incidental).

COST ESTIMATE: \$199,500.00

CONTRACT AMOUNT: \$209,745.00

EXPLANATION: Three experienced contractors proffered bids on the subject project. The low bidder's price, Marin and Marin Construction, Inc., was (\$209,745.00) 6.5% lower than the second lowest bidder, Adventure Environmental, Inc., and 8.5% lower than the third lowest bidder, Native Technologies, Inc. Arithmetical errors made by

Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
Page No. Two

EXPLANATION (con't): bidders have been corrected and reflected in the attached bid tabulation. Among the errors were numerical unit values not matching the written word, these changes were made in Bid Tabulation summary in accordance to contract language provisions.

Therefore, the Public Works Department and the Department of Environmental Resources Management recommend that Marin & Marin Construction, Inc., the lowest responsive, responsible bidder, be awarded the subject project.

CONTRACT PERIOD: 90 calendar days

INSPECTOR GENERAL AMOUNT: \$524.36

INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL AMOUNT: Not applicable

ART IN PUBLIC PLACES: Not applicable

DBD MONITORING FEE: \$3,000.00

PRIME CONTRACTOR(S): Marin & Marin Construction, Inc.

COMPANY PRINCIPAL(S): Rafael Marin

SUBCONTRACTOR(S): None

CERTIFIED CSBE: No

COMPANY QUALIFIER: Rafael Marin

LOCATION OF COMPANY: Miami, Florida

YEARS IN BUSINESS: Fourteen years

Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
Page No. Three

**PREVIOUS CONTRACTS
WITH COUNTY IN THE
LAST FIVE YEARS:**

Ten contracts for a total of \$3,420,771.08

MANAGING AGENCY:

Public Works Department

USING AGENCY:

Department of Environmental Resources Management
(DERM)

FUNDING SOURCE:

Department of Environmental Resources Management
(DERM)

**COMMUNITY SMALL
BUSINESS ENTERPRISE
INFORMATION:**

No Measure



Assistant County Manager

MIAMI-DADE COUNTY
CONTRACT AWARD RECOMMENDATION PROJECT

Date: November 26, 2003

Thru: Budget Department
To: County Manager's Office

Project Title: Island No. 3 Enhancement Project

Project Number: 20030045 (DERM) [Formerly 693468]

Location: Between the 36 Street Causeway and the Venetian Causeway. (West of Intracoastal Waterway)

Original Cost Estimate:	\$ <u>199,500.00</u>
Recommended Amount of Contract:	\$ <u>209,745.00</u>
Art and Public Places Contribution:	\$ <u>N/A</u>
TOTAL:	\$ <u>209,745.00</u>

Contract Period: 90 calendar days

Number of bidding documents taken out: 7

Number of bids received: 3 (Tabulation Attached)

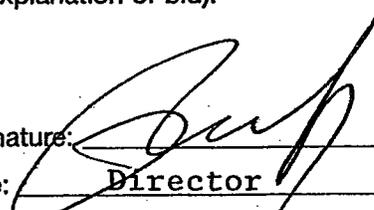
It is recommended that a Contract be awarded to:

Firm Name: Marin & Marin Construction, Inc. - Certificate of Competency #E13

Address: 1800 S.W. 27th Avenue - Suite #310 - Miami, Florida 33145

Explanation: (Description of need for project; details of project; explanation of bid).

(See Cover Memo)

Signature:  11/26/03
 Title: Director
 Department: Public Works

FUNDS BUDGETED

BUDGET DEPARTMENT CERTIFICATION

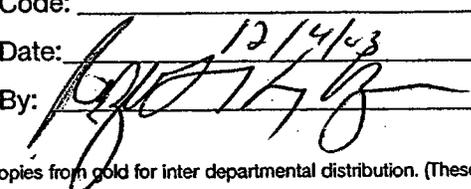
Code: DE2242, 99120 PL 11/20/03

FUNDS AVAILABLE

Code: _____

Date: 12/4/03

By:  11/25/03

By: 

Originating department retains gold copy and develops the required number of photo copies from gold for inter departmental distribution. (These copies are to be destroyed as the immediate administrative use expires.)

Prepare by sets. White, green, canary and pink copies to be submitted to Budget who will forward white and canary copies to the County Manager and forward pink copy to Accounting, Finance Department and retain green copy one year.

After proper approval, white becomes official copy and is forwarded to the Clerk of the Board to be retained permanently.; canary copy to be destroyed by the County Manager's Office when administrative value expires.

Pink copy when finalized will be forwarded to Clerk of the Board with supporting material; who, in turn, will attach all necessary documents to white copy.



PUBLIC WORKS DEPARTMENT
SUITE 1610
111 N.W. 1st STREET
MIAMI, FLORIDA 33128-1970
(305) 375-2960

Certified Mail
7002-2410-0005-3476-6209

November 4, 2003,

Marin & Marin Construction, Inc.
Attn: Rafael Marin
1800 S.W. 27th Avenue
Miami, Florida 33145
Certificate of Competency No. E1391
Fax #305-569-0521

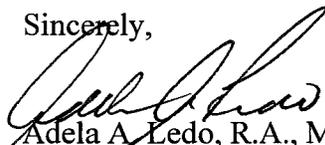
Re: Island No. 3 Enhancement Project
Project Number: 20030045

Dear Mr. Marin:

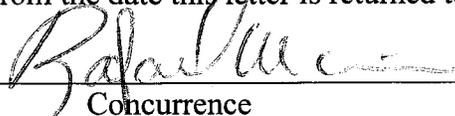
Be advised of our intent to Recommended Award to your firm for the subject project. However, in doing so we request you extend and agree to honor your prices as originally submitted on August 13, 2003, for the referenced project.

Please acknowledge your concurrence or non-concurrence by signing in the space provided below. Should you have any questions call me at 305-375-2930.

Sincerely,


Adela A. Ledo, R.A., Manager
Contracts and Specifications
Public Works Department

Marin & Marin Construction, Inc., hereby extends the unit prices an additional 120 calendar days from December 11, 2003 to April 09, 2004. Further, Marin & Marin Construction, Inc., hereby commits to furnish a Revised Bid Bond in 14 calendar days from the date this letter is returned to Public Works Department.



Concurrence
Rafael Marin, President

Non-Concurrence
Rafael Marin, President

cc: Ovidio Rodriguez, P.E., PWD
Roger Hernstadt, CICC

Attachment: Bid Tabulation

3. The full legal name and business address of any other individual (other than subcontractors, materialmen, suppliers, laborers, or lenders) who have, or will have, any interest (legal, equitable, beneficial or otherwise) in the contract or business transaction with Miami-Dade County are:

4. Does the entity (Prime Contractor) have a collective bargaining agreement with its employees?

N/A

5. As an attachment the Prime Contractor shall include a schedule of wage rates (including overtime) to be paid employees performing work under this Contract. It shall also include the health care benefits to be paid to employees performing work under this Contract.

The submittal shall also include as an attachment, a current breakdown of their work force as to race, national origin and gender.

6. Any person who willfully fails to disclose the information required herein, or who knowingly discloses false information in this regard, shall be punished by a fine of up to five hundred dollars (\$500.00), or by imprisonment in the County jail for up to sixty (60) days, or both at the discretion of the Court.

Date: AUGUST 13, 2003

Rafael Marin
NAME OF AFFJANT
Rafael Marin
Signature

Sworn to and subscribed before me

this 13 day of AUGUST, 2003.

Patricia Garzon
NOTARY PUBLIC, State of Florida
at Large



Patricia Garzon
MY COMMISSION # CC892720 EXPIRES
December 5, 2003
BONDED THRU TROY FAIN INSURANCE, INC.

My Commission Expires:

Use separate attached pages if necessary.

Note: Items 4 & 5 above need only be complied with when the contract amount is \$10,000.00 or more.

*Post Office box addresses not acceptable.



Dept. of Business Development
Project Worksheet

Project/Contract Title: ISLAND NO. 3 ENHANCEMENT PROJECT BETWEEN THE 36TH STREET CSWY AND THE VENETIAN CSWY (WEST OF THE INTRACOASTAL WATERWAY) (SIC 07)
 Project/Contract No: 693468
 Department: PUBLIC WORKS DEPARTMENT
 Estimated Cost of Project/Bid: \$199,500.00
 Description of Project/Bid: TO ESTABLISH A CONTRACT FOR THE REMOVAL OF EXOTIC VEGETATION ON ISLAND #3 AND ADDITIONAL PLANTING ON ISLAND #1 (INCIDENTAL). THIS CONTRACT CONSISTS OF SHORELINE STABILIZATION, EXOTIC VEGETATION REMOVAL, PLACEMENT OF GROUND COVER (SAND AND MULCH) AND PLANTING OF NATIVE SALT TOLERANT VEGETATION. THE SUCCESSFUL BIDDER SHALL HAVE ALL VESSEL ASSOCIATED WITH THE PROJECT'S CONSTRUCTION OPERATE AT "NO WAKE" SPEEDS AT ALL TIMES, WHILE OPERATING IN WATER.

RC Date: 04/30/2003
 Item No: 2-1
 Resubmittal Date(s): 03/19/2003
 Funding Source: FIND (DERM)

Summary Analysis of Recommendations

Measure	Program	Goal Percent
No Measure		
NEPG. SIC 07 Agricultural Services NAICS 56173 Landscaping Services		

Analysis of Recommendations of Contractors

Subtrade	Cat.	Estimated Value	% of Items to Base Bid	Availability
		\$0.00		0
Total		\$0.00		0

Living Wages: YES NO
 Responsible Wages: YES NO

Ordinance 90-143 is applicable to all construction projects over \$100,000 that do not utilize Federal Funds

REVIEW COMMITTEE RECOMMENDATION

Set Aside _____ Level 1 _____ Level 2 _____ Level 3 _____
 Trade Set Aside (MCC) _____ Goal _____ Bid Preference _____
 No Measure Deferred _____ Selection Factor _____
 Chairperson, Review Committee: Date: 4/30/03
 County Manager: Date: _____



Natural Resources Division

Memo

Date: September 4, 2003

**To: Adela Ledo, Chief
Contracts Section
Public Works Department**

**From: Gary R. Milano
Environmental Resources Project Supervisor
Natural Resources Division**

**Subject: Award Recommendation:
Project # 20030045
Island #3 Enhancement Project**

As per the attached Summary of Bids, DERM would like to request that the above referenced project be awarded to the low bidder, Marin and Marin Construction, for a total of \$209,670.00. The budget code to be used for this project is DE 2242. Should you desire additional information, please feel free to call me at 305.372.6851. I would like to take this opportunity to thank you and your staff for your continued technical support and assistance.

**Cc: Mohamed Taha, Public Works Dept.
Steve Blair, DERM**

BID SUMMARY SHEET

PROJECT NUMBER: 20030045

DATE: August 13, 2003 *rec'd*

PROJECT NAME: ISLAND ENHANCEMENT NO. 3 PROJECT

ADDENDUM: 1

CST ESTIMATE: \$199,500.00

BIDDERS	Bidders Position			
ADVENTURE ENVIRONMENTAL	②	224,368.00		
MARIN & MARIN CONSTR.	①	209,670.00		
MIAMI BEACH SEAWALLS				
NATIVE TECHNOLOGIES	③	229,313.70		
WILLIAMS PAVING				
VILA & SON LANDSCAPING				
US LAWN OF SO. FLA.				

No take engineer

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BID TABULATION REPORT
August 18, 2003 10:28 AM

Project Name ISLAND NO. 3 ENHANCEMENT PROJECT.

Project No. 20030045

Bid Open Date 08/13/2003

Name MARIN & MARIN
CONSTRUCTION, INC.

Address ADVENTURE ENVIRONMENTAL,
INC. NATIVE TECHNOLOGIES, INC.

3215 NW 10 TERR.
209
FT. LAUDERDALE, FL 33309

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>
101-2	MOBILIZATION (As per FDOT schedule)	L.S.	1.00	18,650.00	18,650.00	40,000.00	40,000.00	31,431.00	31,431.00
102-75-1	PROJECT DESCRIPTION SIGN - Material and installation.	EA.	1.00	4,380.00	4,380.00	1,650.00	1,650.00	652.00	652.00
110-1A	SELECTIVE CLEARING AND GRUBBING	AC.	3.00	14,000.00	42,000.00	7,000.00	21,000.00	3,154.00	9,462.00
142-70A	SAND FILL (SILICA) TRAP SAND NO 7(Or equal) may be increased, or decreased by the engineer during construction.	C.Y.	2,000.00	48.30	96,600.00	45.00	90,000.00	59.00	118,000.00
570-12-1G	BLANKET FLOWER (Gaillardia Puchella) (1 Gal.)	EA.	50.00	4.00	200.00	3.00	150.00	5.68	284.00
580-326-4	MULCH (8" Depth)	C.Y.	100.00	10.00	1,000.00	35.00	3,500.00	95.32	9,532.00
581-18-11	SEA OATS [(Uniola Paniculata) (4" liner) (18" min. ht.)]	EA.	4,000.00	2.00	8,000.00	4.00	16,000.00	1.57	6,280.00
581-2-1	DUNE SUNFLOWER - [(Helianthus Debilis Subsp. Cucumerfolius)(4" liner)]	EA.	50.00	2.00	100.00	3.00	150.00	1.00	50.00
581-2-10	SPIDER LILY [(Hymenocallis Latifolia) (1 gal.) (12" ht.)]	EA.	30.00	4.00	120.00	5.00	150.00	10.37	311.10

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Project Name ISLAND NO. 3 ENHANCEMENT PROJECT.

Project No. 20030045

Bid Open Date 08/13/2003

Name MARIN & MARIN
CONSTRUCTION, INC.

Bid Open Date 08/13/2003
ADVENTURE ENVIRONMENTAL,
INC. NATIVE TECHNOLOGIES, INC.

Address

3215 NW 10 TERR.
209

City/ST/Zip

FT. LAUDERDALE, FL 33309

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>
581-2-21	SEASIDE PASPALUM - [(Paspalum Vaginatum) (4" liner)]	EA.	1,500.00	2.00	3,000.00	2.50	3,750.00	1.05	1,575.00
581-2-4	SEA LAVENDER [(Mallotonia Gnaphal odes) (1 gal. container)]	EA.	20.00	15.00	300.00	5.00	100.00	41.15	823.00
581-2-8G	BEACH CREEPER(Ernodea Littoralis) 1GII.)	EA.	30.00	4.00	120.00	5.50	165.00	10.03	300.90
581-21-10	SEA PURSLANE (Sesuvium portulacastrum)	EA.	1,000.00	2.00	2,000.00	5.50	5,500.00	0.90	900.00
581-29-10	BLACKBEAD [(pithecellobium keyensis) (3 gal pot 16" to 24" ht.)]	EA.	20.00	10.00	200.00	20.00	400.00	15.60	312.00
581-34-1	INKBERRY[(Scaevol a Plumieri) (1 Gal.)]	EA.	30.00	10.00	300.00	13.00	390.00	14.10	423.00
581-34-4	NECKLACE POD - [(sophora tomentosa) (3 gal pot 2' to 3' ht)	EA.	20.00	10.00	200.00	10.00	200.00	15.45	309.00
582-39	COCOPLUM [(Chrysobalanus icaco) (3 gal. pot 24" ht.)]	EA.	25.00	10.00	250.00	10.00	250.00	17.56	439.00
582-41	MYRSINE [(Myrsine guaiamensis) (3 gal pot)]	EA.	30.00	10.00	300.00	12.00	360.00	13.37	401.10

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BID TABULATION REPORT
August 18, 2003 10:28 AM

Project Name ISLAND NO. 3 ENHANCEMENT PROJECT.

Project No. 20030045

Bid Open Date 08/13/2003

Name MARIN & MARIN
CONSTRUCTION, INC.
Address

ADVENTURE ENVIRONMENTAL,
INC. NATIVE TECHNOLOGIES, INC.

City/ST/Zip 3215 NW 10 TERR.
209
FT. LAUDERDALE, FL 33309

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>
582-5	BEACH ELDER [(Iva imbericata) (1 Gal. 12" ht.)]	EA.	30.00	5.00	150.00	5.00	150.00	10.07	302.10
583-111	RED MANGROVE - [(rhizophora mangle)(Encased replanting method)]	EA.	150.00	5.00	750.00	25.00	3,750.00	3.77	565.50
583-112	BLACK MANGROVES [(Avicennia germinans) (Encased replanting method)]	EA.	100.00	5.00	500.00	25.00	2,500.00	4.65	465.00
583-24-1	SEAGRAPE - [(Coccoloba Uvifera) (3 Gal cont.) (3' min. ht.)]	EA.	25.00	10.00	250.00	60.00	1,500.00	15.00	375.00
583-3-1	GREEN - BUTTONWOOD[(Coccoloba Uvifera) (3 Gal cont.) (4' ht.)]	EA.	25.00	10.00	250.00	55.00	1,375.00	12.64	316.00
583-6	WHITE INDIGO BERRY[(Randia Aculeata) (1 Gal. cont.)]	EA.	25.00	12.00	300.00	5.50	138.00	15.60	390.00
583-7	BAY CEDAR[(Suriana Maritima) (3 Gal cont.)]	EA.	30.00	20.00	600.00	30.00	900.00	46.33	1,389.90
584-1	THATCH PALM[(Thrinax Morrisii) (1 Gal cont.)]	EA.	25.00	15.00	300.00	15.00	375.00	61.08	1,527.00

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BID TABULATION REPORT
August 18, 2003 10:28 AM

Project Name ISLAND NO. 3 ENHANCEMENT PROJECT.

Project No. 20030045

Bid Open Date 08/13/2003

Name MARIN & MARIN
CONSTRUCTION, INC.

ADVENTURE ENVIRONMENTAL,
INC. NATIVE TECHNOLOGIES, INC.

Address

3215 NW 10 TERR.
209

City/ST/Zip

FT. LAUDERDALE, FL 33309

<u>Item No</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>	<u>Unit Price</u>	<u>Bid Amount</u>
584-1-6	SAW	EA.	50.00	15.00	750.00	20.00	1,000.00	15.36	768.00
584-3	PALMETTO[(Serenoa Repens) (1 Gal. cont.) (12' ht.)]	EA.	30.00	25.00	750.00	40.00	1,200.00	61.07	1,832.10
584-3-2	SILVER PALM [(Coccothrinax argentata) (3 - gal.)]	EA.	100.00	216.00	21,600.00	220.00	22,000.00	332.89	33,289.00
584-4-2G	COCONUT PALM[(Cocos Nucifera) (Maypan, 12' overall ht.)]	EA.	25.00	15.00	375.00	10.00	250.00	48.04	1,201.00
584-4-3G	CROTON(Croton Glanduosus) (Gal.)	EA.	25.00	15.00	375.00	25.00	625.00	48.04	1,201.00
584-4-4G	DEVIL'S POTATO(Echites Umbellata) (1Gal.)	EA.	25.00	15.00	375.00	25.00	625.00	48.04	1,201.00
584-4-5G	DOWNY--MILKWEED(Galactia Volubilis)	EA.	25.00	15.00	375.00	25.00	625.00	48.04	1,201.00
584-4-777-0	WILD SAGE(Lantana Involucrata) (1 Gal.)	EA.	25.00	15.00	375.00	15.00	375.00	48.04	1,201.00
	PICNIC TABLE (8', Galvanized frame pressure treated pine)	EA.	5.00	850.00	4,250.00	778.00	3,890.00	361.00	1,805.00

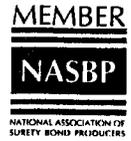
Total: \$209,745.00
Contractor's Bid Items Total \$209,670.00
Contractor's Bid Total: \$209,670.00

Total: \$229,313.70
Contractor's Bid Items Total \$224,368.00
Contractor's Bid Total: \$224,368.00

770 South Dixie Highway • Suite 101
Coral Gables, Florida 33146
Phone: (305) 662-3852
Fax: (305) 661-9948
<http://www.mcsurety.com>



Matson-Charlton Surety Group



November 19, 2003

Rafael Marin
Marin & Marin Construction, Inc.
1800 SW 27th Avenue
Miami, FL 33145

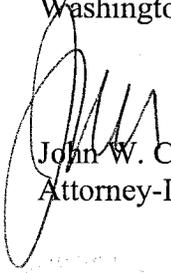
**REF: Biscayne Bay Spoil Island No. 3 Enhancement Project
Project No. 20030045**

Dear Rafael:

Please be advised Washington International Insurance Company has agreed to extend the above mentioned bid until April 2004.

If you have any questions, please feel free to contact our office. Thank you.

Sincerely,
Washington International Insurance Company


John W. Charlton,
Attorney-In-Fact

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of Arizona and having its principal office in the City of Itasca, Illinois, each does hereby make, constitute and appoint:

JOHN W. CHARLTON and D.W. MATSON,III

jointly or severally

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

TEN MILLION (10,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 24th of March, 2000:

"RESOLVED, that any two of the President, any Executive Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By Paul D. Amstutz
Paul D. Amstutz, President & Chief Executive Officer of Washington International Insurance Company & Vice President of North American Specialty Insurance Company



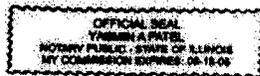
By Steven P. Anderson
Steven P. Anderson, Executive Vice President of Washington International Insurance Company & Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 19 day of September, 2002.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Du Page ss:

On this 19 day of September, 2002, before me, a Notary Public personally appeared Paul D. Amstutz, President and CEO of Washington International Insurance Company and Vice President of North American Specialty Insurance Company and Steven P. Anderson, Executive Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



Yasmin A. Patel
Yasmin A. Patel, Notary Public

I, James A. Carpenter, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 19TH day of NOVEMBER, 2003.

James A. Carpenter
James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company & Assistant Secretary of North American Specialty Insurance Company

**POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM INSURANCE COVERAGE
ENDORSEMENT**

Coverage for acts of terrorism as defined in § 102(1) of the Terrorism Risk Insurance Act of 2002 ("the Act") is already included in this surety bond. You should know that, effective November 26, 2002, under your existing coverage, any losses caused by certified acts of terrorism would be partially reimbursed by the United States under a formula established by federal law. Under this formula, the United States pays 90% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The portion of your annual premium that is attributable to coverage for acts of terrorism is \$0.

As your insurance/surety company we are sending you this notice to comply with the Terrorism Risk Insurance Act of 2002.

For questions regarding this notice please visit our website www.nassurety.com or you may call our office at 630- 227- 4825.