MEMORANDUM

MIAMI-DADE COUNTY

Date: November 20, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(R)(1)(E)

From: George M. Burgess
County Manager

Subject: Change Order No. 1 for North District Wastewater Treatment Plant Replacement of Pre-Treatment Building Sluice Gates Contract No: S-775R to Intrastate Construction Corporation in the amount of $318,000

RECOMMENDATION

The attached Change Order No.1 on a contract between Intrastate Construction Corporation and Miami-Dade County has been prepared by the Miami-Dade Water and Sewer Department (WASD) and is recommended for approval. This change order will increase the contract amount by $318,000 and extend the contract time by 219 days.

CHANGE ORDER NUMBER: 1

SCOPE:

PROJECT NAME: North District Wastewater Treatment Plant Replacement of Pre-Treatment Building Sluice Gates

PROJECT NO: N/A

CONTRACT NO: S-775R

PROJECT DESCRIPTION: The project consists of furnishing all materials, labor and equipment necessary to replace eight existing gates of the pre-treatment building.

The work also includes, but is not limited to the following: furnishing and installing sluice gates, actuators and appurtenances; removal of existing slide gates and appurtenances; demolition and modification work; rehabilitation of thimble, slide gate and slide gate guides; coordinating with treatment plant operations; cleaning and testing work; and all other miscellaneous work for a complete and satisfactory installation.

It is the intent of WASD to obtain a complete functional, and satisfactory installation under this project, and any items of labor, equipment or materials which may be reasonably assumed as necessary to accomplish this end shall be supplied whether or not they are specifically shown on the Plans or stated herein. The contractor shall provide all sheeting, shoring, bracing and all other labor, material or equipment required to preclude damage to, or loss of functionality of, any existing facility or system.

PROJECT LOCATION:	2575 NE 151 Street in the City of North Miami, Miami-Dade County, Florida
PRIMARY COMMISSION DISTRICT:	District 4 Sally A. Heyman
APPROVAL PATH:	Board of County Commissioners
USING/MANAGING DEPARTMENT:	Miami-Dade Water and Sewer Department

FISCAL IMPACT/FUNDING SOURCE:

CHANGE ORDER FUNDING SOURCE:	Wastewater Renewal Fund, Wastewater Connection Charges, WASD Revenue Bonds Sold, and future WASD Revenue Bonds.
PTP FUNDING:	No
GOB FUNDING:	No
CHANGE ORDER DESCRIPTION:	This Change Order is to request an increase in the contract amount and a time extension. For details see the monetary and time justifications.

MONETARY JUSTIFICATION:

The contract drawings for the replacement of the sluice gates, and the rehabilitation of the north and south chambers at the Pre-Treatment Building of the NDWWTP were completed in January 2003. This work is necessary because the sluice gates were not working properly and 10 years has passed since the protective coatings on the chamber walls in the north and south chambers had been rehabilitated. The NDWWTP was constructed in the late 1970s, and the corrosive environment inherent to wastewater treatment plants has led to the deterioration of the sluice gates and the concrete protective coating.

The north and south chambers are located within the Pre-Treatment Building and are designed to remove solids from the wastewater before it is treated. Due to operational concerns, heavy plant flows, and to prevent sanitary sewer overflows in the system, the north and south chambers could not be taken out of service to obtain the exact measurements necessary for the repairs to rehabilitate the interior of the chambers. The contract information and specifications regarding the number of square feet was based on inspections performed by NDWWTP personnel in years past. The personnel involved in these inspections have retired or left County employment.

The Notice to Proceed for this project was issued for September 19, 2007. The replacement of the sluice gates and the repair of the protective coating of the south chamber walls were completed during the dry-season (December 2007 to May 1, 2008). The estimated quantity of area in need of repair work was 2,000 square feet, the actual repairs covered a total of 4,816 square feet.

The Contractor has been compensated for these repairs via the existing contract bid item and the contingency item. Additional funds are necessary

to complete the project to perform repairs to the north chamber. WASD estimates that 5,300 square feet are in need of protective coating repairs in the north chamber, or 10% more square footage than the total area repaired in the south chamber. The proposed cost to complete the north chamber would be at the contract bid item price of $60.00/SF and will not exceed a total cost of $318,000.

TIME JUSTIFICATION: A scrivener's error in the contract specifications did not allow for sufficient time to complete the project. The time allowed for this contract was 365 days, contemplating the work to be done in two consecutive dry seasons (December to May) by stopping the clock and allowing the contractor to resume the work after the wet season (June to November). Therefore, a time extension is necessary to complete the contract within the two consecutive dry seasons along with the procurement of the new sluice gates, which are long lead items. The time extension necessary to complete this contract will be 256 days. This number of days has been arrived at by applying the Notice to Proceed date of September 19, 2007, and completing the project on June 1, 2009.

Bid Item 17 of the Contract Document is a Time Allowance Account with a maximum number of 37 calendar days. The WASD Engineer has granted a 37 day time extension using this provision. Therefore, WASD is requesting the remaining 219 days be approved through this Change Order.

	Original Contract Values	Previous Adjustments To Values	This Change Order Values	Current Totals	Total Paid	Balance After Change Order
BASE:	$1,455,500.00	$0.00	$318,000.00	$1,773,500.00	$1,064,992.00	$708,508.00
CONTINGENCY:	$145,550.00	$0.00	$0.00	$145,550.00	$0.00	$145,550.00
DEDICATED:	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
TOTALS:	$1,601,050.00	$0.00	$318,000.00	$1,919,050.00	$1,064,992.00	$854,058.00

	Original Contract Duration	Previous Adjustments To Duration	This Change Order Duration	Current Totals
BASE DURATION:	365	0	219	584
CONTINGENCY:	37	0	0	37
TOTAL DURATION:	402	0	219	621

INITIATING FACTOR(S) FOR CHANGE ORDER

Reason	Cost	Duration
Other	$318,000.00	219
Total:	$318,000.00	

TRACK RECORD/MONITOR:

PERFORMANCE RECORD: The CIIS database lists one contract for Intrastate Construction Corporation with one contract evaluation with a rating of 3.0 out of a

possible 4.0 points as an interim evaluation on this particular contract.

PRIME CONTRACTOR:	Intrastate Construction Corporation
COMPANY PRINCIPAL:	Lisa Bisogno
COMPANY QUALIFIERS:	Joe H. Brown, Jr.
COMPANY EMAIL ADDRESS:	tcond@aol.com
COMPANY STREET ADDRESS:	8488 State Road 84
COMPANY CITY-STATE-ZIP:	Davie, FL 33324
YEARS IN BUSINESS AT TIME OF AWARD:	14
PREVIOUS EXPERIENCE WITH COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD:	According to the Firm History Report as provided by the Department of Small Business Development, this is the first contract awarded to this vendor by Miami-Dade County.
SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):	Benson Electric, Inc., Service Painting of Florida,and Moss-Kelley, Inc.

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:

TYPE	GOAL	ESTIMATED VALUE	ACHIEVED
CSBE	0.00%	$0.00	$0.00
CWP	0.00%	Not Applicable	

CONTRACT MANAGER NAME/PHONE/EMAIL:	Rong Zhuge	305-669-7727	RZHUG01@miamidade.gov
PROJECT MANAGER NAME/PHONE/EMAIL:	Alma M. Santiago, P.E.	786-552-8243	AS1@miamidade.gov

BACKGROUND:

This work is necessary because the sluice gates were not working properly and it had been over 10 years since the protective coatings on the chamber walls were rehabilitated. This plant was constructed in the late 1970s, and the corrosive environment inherent to wastewater treatment plants has led to the deterioration of the sluice gates and the concrete protective coating.

BUDGET APPROVAL FUNDS AVAILABLE:	**OSBM DIRECTOR**	10/17/08 **DATE** 10-17-08
APPROVED AS TO LEGAL SUFFICIENCY:	**COUNTY ATTORNEY**	10-10-08 **DATE**
CAPITAL IMPROVEMENTS CONCURRENCE:	10/22 **OCI DIRECTOR** For JM	10/22/08 **DATE**
	ASSISTANT COUNTY MANAGER	10/24/08 **DATE**
CLERK DATE		**DATE**

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: November 20, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(R)(1)(E)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(R)(1)(E)
11-20-08

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN INTRASTATE CONSTRUCTION CORPORATION AND MIAMI-DADE COUNTY, FOR CONTRACT NO. S-775R: NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT OF PRE-TREATMENT BUILDING SLUICE GATES; INCREASING THE CONTRACT AMOUNT BY $318,000.00 AND EXTENDING THE CONTRACT TIME BY 219 DAYS; AUTHORIZING THE COUNTY MAYOR TO EXECUTE SAME

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves Change Order No. 1 to the contract between Intrastate Construction Corporation and Miami-Dade County for Contract No. S-775R: North District Wastewater Treatment Plant Replacement of Pre-Treatment Building Sluice Gates; increasing the contract amount by $318,000.00 and extending the contract time by 219 days; in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or Mayor's designee to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of November, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman

NORTH DISTRICT UPGRADES - WASTEWATER TREATMENT PLANT **PROJECT # 9653411**

DESCRIPTION: Construct a chlorine improvement process, replace sluice gates in the pre-treatment bar screen room, and provide for various upgrades and rehabilitation of the plant

LOCATION: 2575 NE 151 St
North Miami

DISTRICT LOCATED: 4
DISTRICT(s) SERVED: Systemwide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Wastewater Renewal Fund	1,100	238	1,822	1,266	1,684	2,000	2,000	0	10,110
Wastewater Connection Charges	1,179	0	299	75	0	0	0	0	1,553
WASD Revenue Bonds Sold	1,115	0	0	0	0	0	0	0	1,115
Future WASD Revenue Bonds	0	0	400	0	917	1,708	0	0	3,025
TOTAL REVENUE:	**3,394**	**238**	**2,521**	**1,341**	**2,601**	**3,708**	**2,000**	**0**	**15,803**

EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Planning and Design	75	119	266	122	337	337	182	0	1,438
Construction	748	1,190	2,656	1,219	3,363	3,371	1,818	0	14,365
TOTAL EXPENDITURES:	**823**	**1,309**	**2,922**	**1,341**	**3,700**	**3,708**	**2,000**	**0**	**15,803**

NORTH MIAMI-DADE WASTEWATER TRANSMISSION MAINS AND PUMP STATIONS IMPROVEMENTS **PROJECT # 9652101**

DESCRIPTION: Improve pump stations to increase system flexibility

LOCATION: Wastewater System - North District Area
Systemwide

DISTRICT LOCATED: Systemwide
DISTRICT(s) SERVED: Systemwide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Wastewater Connection Charges	549	0	0	0	0	0	0	0	549
WASD Revenue Bonds Sold	2,732	0	0	0	0	0	0	0	2,732
Future WASD Revenue Bonds	0	0	1,300	0	0	0	0	0	1,300
TOTAL REVENUE:	**3,281**	**0**	**1,300**	**0**	**0**	**0**	**0**	**0**	**4,581**

EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Planning and Design	262	36	118	0	0	0	0	0	416
Construction	2,619	364	1,182	0	0	0	0	0	4,165
TOTAL EXPENDITURES:	**2,881**	**400**	**1,300**	**0**	**0**	**0**	**0**	**0**	**4,581**

9

DEPARTMENT OF BUSINESS DEVELOPMENT

Dept. of Business Development

Project Worksheet

Project/Contract Title:	NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT OF PRE-TREATMENT BUILDING SLUICE GATES (SIC 16)	RC Date:	07/26/2006
Project/Contract No:	S-775R	Item No:	3-10
Department:	WATER & SEWER DEPARTMENT	Funding Source: WASTEWATER REVE BOND-SERIES 97	
Estimated Cost of Project/Bid:	$1,045,000.00	Resubmittal Date(s):	12/03/2003
Description of Project/Bid:	THE PROJECT CONSISTS OF FURNISHING ALL MATERIALS, LABOR AND EQUIPMENT NECESSARY TO REPLACE EIGHT EXISTING GATES OF THE PRE-TREATMENT BUILDING AT THE NORTH DISTRICT WASTEWATER TREATMENT PLANT LOCATED AT 2575 NE 215T STREET, IN MIAMI-DADE COUNTY, FLORIDA		

Contract Measures Recommendation

Measure	Program	Goal/Percent
No Measure	CSBE	0.00%

Reasons for Recommendation

An analysis of the trades required for this contract, as well as an analysis of the availability of CSBEs revealed insufficient availability.

This project was previously submitted under project number S-775 and was awarded to a CSBE contractor. However, it is being resubmitted because the contract had to be terminated.

CWP Not Applicable: Not in DTA

Analysis for Recommendation of a Goal

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

Living Wage: YES [ ] NO [X] Highway: YES [ ] NO [X] Heavy Construction: YES [X] NO [ ]

Responsible Wages: YES [X] NO [ ] Building: YES [ ] NO [X]

Ordinance 00-143 is applicable to all construction projects over $100,000 that do not utilize Federal Funds

REVIEW COMMITTE RECOMMENDATION

Tier 1 Set Aside _____

Set Aside _____ Level 1 _____ Level 2 _____ Level 3 _____

Trade Set Aside (MCC) _____ Goal _____ Bid Preference _____

No Measure ✓ Deferred _____ Selection Factor _____

Chairperson, Review Committee — Date 7/26/06 — County Manager — Date 8/1/06

10

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY, FLORIDA

NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT
OF PRE-TREATMENT BUILDING SLUICE GATES
CONTRACT NO. S-775R

ESTIMATE: $1,100,000

TABULATION OF BIDS — October 12, 2006

BIDDERS: Intrastate Construction Corp., 8488 State Road 84, Davie, FL 33324

ITEM NO.	DESCRIPTION	QUANT	Unit	Total
1.	Performing preparatory work & operations in mobilizing for beginning the work of the project, but excluding materials & permit costs, both of which are paid under other payment items	Aggr. Sum		$145,000.00
2.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 54-inch x 72-inch sluice gates, guides, actuators & appurtenances, complete	2 Each	61,700.00	123,400.00
3.	Installation of the 54-inch x 72-inch sluice gates, guides, actuators & appurtenances including removal of existing 54-inch x 72-inch sluice gates, preparatory cleaning for installation, rehabilitation of thimbles, startup & testing, complete	2 Each	21,600.00	43,200.00
4.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 72-inch x 72-inch sluice gate, guides, actuator & appurtenances, complete	1 Each	81,800.00	81,800.00
5.	Installation of the 72-inch x 72-inch sluice gate, guides, actuator & appurtenances including removal of existing 72-inch x 72-inch sluice gate, preparatory cleaning for installation, rehabilitation of thimbles, startup & testing, complete	1 Each	28,600.00	28,600.00
6.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 60-inch x 60-inch sluice gates, guides & appurtenances, complete	4 Each	36,500.00	146,000.00
7	Installation of the 60-inch x 60-inch sluice gates, guides, & appurtenances including removal of existing 60-inch x 60-inch sluice gates, preparatory cleaning for installation, rehabilitation of thimbles, connection to existing actuators, startup & testing, complete	4 Each	19,500.00	78,000.00
8.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 72-inch x 48-inch sluice gate, guides, actuator & appurtenances, complete	1 Each	41,600.00	41,600.00

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY, FLORIDA

NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT
OF PRE-TREATMENT BUILDING SLUICE GATES
CONTRACT NO. S-775R

ESTIMATE: $1,100,000

TABULATION OF BIDS — October 12, 2006

BIDDERS — Intrastate Construction Corp., 8488 State Road 84, Davie, FL 33324

ITEM NO.	DESCRIPTION	QUANT.	Unit	Total
9.	Installation of the 72-inch x 48-inch sluice gate, guides, actuator & appurtenances including removal of existing 72-inch x 48-inch sluice gate, preparatory cleaning for installation rehabilitation of thimbles, startup & testing complete	1 Each	$28,600.00	$28,600.00
10.	Constructing patching repairs on areas lined with Linabond as ordered by the Engineer	2,200 Sq. Ft. (Cont. Item)	60.00	132,000.00
11.	Constructing patching repairs on areas coated with Sauereisen in the pretreatment building influent chambers as ordered by the Engineer	2,000 Sq. Ft. (Cont. Item)	60.00	120,000.00
12.	Performing patching repairs on areas coated/lined with other concrete protective coatings/liners (concrete protective coatings/liner, concrete & reinforcement) as ordered by the Engineer	2,350 Sq. Ft. (Cont. Item)	90.00	211,500.00
13.	Removing the existing (360 degree) T-lock liner & installing a (360 degree) concrete protective coating on the 84-inch concrete pipes & bends entering the pretreatment building, as shown on the Plans	2,600 Sq. Ft. (Cont. Item)	98.00	254,800.00
14.	Cleaning all interior surfaces of the pipe & chambers areas to be rehabilitated, together with removal & disposal of cleaning debris, sludge & grit material accumulated in the pipes & structures prior to start of work & during cleaning	200 Cubic Yards (Cont. Item)	105.00	21,000.00
15.	Subtotal, The total of Bid Items 1 through 14			1,455,500.00
16.	Unforeseen conditions, for minor construction changes and for quantity adjustments, if ordered by the Engineer, the sum of 10% of the Subtotal, Item No. 15, (.10)X (Subtotal Item No. 15)	Allowance Account		145,550.00
	TOTAL BID (Items 15 and 16)			**$1,601,050.00**

DBD
DEPARTMENT OF
BUSINESS DEVELOPMENT

MIAMI DADE COUNTY

Firm History Report

(excluding A&E)

From: 01/26/2002 **To:** 01/26/2007

FIRM NAME: INTRASTATE CONSTRUCTION CORPORATION
8488 State Rd 84
Davie, FL 33324-0000

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME	AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
S-775R	1	WS	NO MEASURE	01/26/2007	$1,601,050.00	$1,064,992.00	09/11/2008			

NORTH DISTRICT WASTEWATER TREATMENT PLANT
REPLACEMENT OF PRE-TREATMENT BUILDING
SLUICE GATES (SIC 16)

$1,601,050.00

Total Award Amount	**$1,601,050.00**
Total Change Orders Approved by BCC	**$0**
	$1,601,050.00
Total Change Orders Approved After Requested Date Range	**$0.00**
Total Change Orders Pending	**$0.00**
	$1,601,050.00

13

* Indicates closed or expired contracts

Change Orders without dates are pending BCC approval

Find Contracts With Search String ==> Projects

Goto Bottom

Exit

OFFICE OF CAPITAL IMPROVEMENTS
CAPITAL IMPROVEMENTS INFORMATION SYSTEM
Friday, October 10, 2008

All Contracts for FEIN 650361143

Intrastate Construction Corporation

DST	DPT	Type	Contract	Name	Location / Contractor	Estimated Completion Date	Total Award	Last Status Date	% Complete / Status *
4	WS	CON	S-775R	North District Wastewater Treatment Plant Replacemen	Intrastate Construction Corpor	6/1/2009	$1,773,500	4/14/2008	65% / On Schedule
					Totals:	1	$1,773,500		

* Yellow Status=Inactive Contract

Contracts Status View Exit Projects Goto Top

Exit

Capital Improvements Information System

Contractor Evaluations Report

Dept	Contract	Type	Contractor / Architect Name	Date	Rater	Period	Rate
WS	S-775R	CON	Intrastate Construction Corporation	10/7/2008	Jules Durand	Interim	3.0

Evaluation Count: 1 Contractors: 1 Average Evaluation: 3.0

Exit

MIAMI-DADE COUNTY, FLORIDA

Capital Improvements Information System

Miami-Dade Water and Sewer Department

Project Evaluation

Evaluation Type: Standard Evaluation

Contract: S-775R
Work Order No: N/A
Contract Name: North District Wastewater Treatment Plant Replacement of Pre-Treatment Building Sluice Gates
Contact: Jules Durand
786-552-8144
Award Amount: $1,455,500.00
Contract Type: CONSTRUCTION
Contractor / Consultant: Intrastate Construction Corporation
FEIN: 650361143

Evaluator ID: jdura Date: 10/7/2008 Period: Interim

Rating *						
	4	3	2	1	N/A	Criteria
1-		✔				Schedule - Quality of schedule & adherence to schedule resulting in timeliness and minimizing delay to the owner and community.
2-		✔				Cost effectiveness & efficiency - Budget compliance & value of work.
3-		✔				Vision - Design - Concepts or adherence to criteria.
4-		✔				Cooperation - Teamwork & relationship with owner, subs and suppliers.
5-		✔				Coordination - Ability to organize, schedule and complete tasks in adherence to the schedule.
6-					✔	Accuracy & Technical Skills - Cost estimating, scheduling, shop and other drawings, plans, manuals, project documentation and conflict resolution.
7-		✔				Completeness - Compliance with contract documents, permits, Codes & standards.
8-		✔				Responsiveness - Timely, clear & concise responses to owner comments and correspondence.
9-					✔	Commitment - Intangibles & contribution to project success.
10-		✔				Personnel - Quality and dedication of project staff.
11-		✔				Management - Leadership ability.
12-		✔				Quality - Work performed correctly the first time.

Overall Performance Average: 3.0

Documentation that supports this evaluation and Contractor's/Consultant's comments can be obtained by contacting:
Jules Durand at Phone# 786-552-8144

Evaluation Reviewed by: Supervisor ☑ Division Chief ☐ Assistant Director ☐ Director ☐

The method of delivery of this evaluation to contractor/consultant: Certified Mail ☐ EMail ☑ Fax ☐ Hand ☐

(Unresponsive Performance by contractor/consultant requires 2 delivery methods)

Evaluation delivered to:

16

* Rating Key

4 Superior performance - Exemplary quality, no intervention required - project completed on time or early at or below budget with no change orders or amendments other than owner requested changes.

3 Satisfactory performance - Minor errors noted, addressed with timely corrective action. No serious errors noted or corrective action needed.

2 Guarded performance Errors and Omissions documented in writing with timely corrective action.

1 Unresponsive performance documented in writing without timely corrective action.

N/A. No Information

17

NORTH DISTRICT UPGRADES - WASTEWATER TREATMENT PLANT **PROJECT # 9653411**

DESCRIPTION: Construct a chlorine improvement process, replace sluice gates in the pre-treatment bar screen room, and provide for various upgrades and rehabilitation of the plant

LOCATION: 2575 NE 151 St
North Miami

DISTRICT LOCATED: 4
DISTRICT(s) SERVED: Systemwide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Wastewater Renewal Fund	1,100	238	1,822	1,266	1,684	2,000	2,000	0	10,110
Wastewater Connection Charges	1,179	0	299	75	0	0	0	0	1,553
WASD Revenue Bonds Sold	1,115	0	0	0	0	0	0	0	1,115
Future WASD Revenue Bonds	0	0	400	0	917	1,708	0	0	3,025
TOTAL REVENUE:	**3,394**	**238**	**2,521**	**1,341**	**2,601**	**3,708**	**2,000**	**0**	**15,803**

EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Planning and Design	75	119	266	122	337	337	182	0	1,438
Construction	748	1,190	2,656	1,219	3,363	3,371	1,818	0	14,365
TOTAL EXPENDITURES:	**823**	**1,309**	**2,922**	**1,341**	**3,700**	**3,708**	**2,000**	**0**	**15,803**

NORTH MIAMI-DADE WASTEWATER TRANSMISSION MAINS AND PUMP STATIONS IMPROVEMENTS **PROJECT # 9652101**

DESCRIPTION: Improve pump stations to increase system flexibility

LOCATION: Wastewater System - North District Area
Systemwide

DISTRICT LOCATED: Systemwide
DISTRICT(s) SERVED: Systemwide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Wastewater Connection Charges	549	0	0	0	0	0	0	0	549
WASD Revenue Bonds Sold	2,732	0	0	0	0	0	0	0	2,732
Future WASD Revenue Bonds	0	0	1,300	0	0	0	0	0	1,300
TOTAL REVENUE:	**3,281**	**0**	**1,300**	**0**	**0**	**0**	**0**	**0**	**4,581**

EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Planning and Design	262	36	118	0	0	0	0	0	416
Construction	2,619	364	1,182	0	0	0	0	0	4,165
TOTAL EXPENDITURES:	**2,881**	**400**	**1,300**	**0**	**0**	**0**	**0**	**0**	**4,581**

DEPARTMENT OF BUSINESS DEVELOPMENT

Dept. of Business Development

Project Worksheet

Project/Contract Title:	NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT OF PRE-TREATMENT BUILDING SLUICE GATES (SIC 16)	RC Date:	07/26/2006
Project/Contract No:	S-775R	Item No:	3-10
Department:	WATER & SEWER DEPARTMENT	Funding Source:	WASTEWATER REVE BOND-SERIES 97
Estimated Cost of Project/Bid:	$1,045,000.00	Resubmittal Date(s):	12/03/2003
Description of Project/Bid:	THE PROJECT CONSISTS OF FURNISHING ALL MATERIALS, LABOR AND EQUIPMENT NECESSARY TO REPLACE EIGHT EXISTING GATES OF THE PRE-TREATMENT BUILDING AT THE NORTH DISTRICT WASTEWATER TREATMENT PLANT LOCATED AT 2575 NE 215T STREET, IN MIAMI-DADE COUNTY, FLORIDA		

Contract Measures Recommendation

Measure	Program	Goal/Percent
No Measure	CSBE	0.00%

Reasons for Recommendation

An analysis of the trades required for this contract, as well as an analysis of the availability of CSBEs revealed insufficient availability.

This project was previously submitted under project number S-775 and was awarded to a CSBE contractor. However, it is being resubmitted because the contract had to be terminated.

CWP Not Applicable: Not in DTA

Analysis for Recommendation of a Goal

Subtrade	Cat.	Estimated Valge	% of Items to Base Bid	Availability
	Total	$0.00	0.00%	

Living Wages: YES [ ] NO [X] Highway: YES [ ] NO [X] Heavy Construction: YES [X] NO [ ]

Responsible Wages: YES [X] NO [ ] Building: YES [ ] NO [X]

Ordinance 00-143 is applicable to all construction projects over $100,000 that do not utilize Federal Funds

REVIEW COMMITTE RECOMMENDATION

Tier I Set Aside _____

Set Aside _____ Level 1 _____ Level 2 _____ Level 3 _____

Trade Set Aside (MCC) _____ Goal _____ Bid Preference _____

No Measure ✓ _____ Deferred _____ Selection Factor _____

Chairperson, Review Committee — Date 7/26/06 — County Manager — Date 8/1/06

DEDROONY 2005:019

19

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY, FLORIDA

NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT OF PRE-TREATMENT BUILDING SLUICE GATES
CONTRACT NO. S-775R

ESTIMATE: $1,100,000

TABULATION OF BIDS — October 12, 2006

BIDDERS: Intrastate Construction Corp., 8488 State Road 84, Davie, FL 33324

ITEM NO.	DESCRIPTION	QUANT	Unit	Total
1.	Performing preparatory work & operations in mobilizing for beginning the work of the project, but excluding materials & permit costs, both of which are paid under other payment items	Aggr. Sum		$145,000.00
2.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 54-inch x 72-inch sluice gates, guides, actuators & appurtenances, complete	2 Each	61,700.00	123,400.00
3.	Installation of the 54-inch x 72-inch sluice gates, guides, actuators & appurtenances including removal of existing 54-inch x 72-inch sluice gates, preparatory cleaning for installation, rehabilitation of thimbles, startup & testing, complete	2 Each	21,600.00	43,200.00
4.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 72-inch x 72-inch sluice gate, guides, actuator & appurtenances, complete	1 Each	81,800.00	81,800.00
5.	Installation of the 72-inch x 72-inch sluice gate, guides, actuator & appurtenances including removal of existing 72-inch x 72-inch sluice gate, preparatory cleaning for installation, rehabilitation of thimbles, startup & testing, complete	1 Each	28,600.00	28,600.00
6.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 60-inch x 60-inch sluice gates, guides & appurtenances, complete	4 Each	36,500.00	146,000.00
7	Installation of the 60-inch x 60-inch sluice gates, guides, & appurtenances including removal of existing 60-inch x 60-inch sluice gates, preparatory cleaning for installation, rehabilitation of thimbles, connection to existing actuators, startup & testing, complete	4 Each	19,500.00	78,000.00
8.	Selling & delivering to the Department all materials, equipment & supplies for the installation of the 72-inch x 48-inch sluice gate, guides, actuator & appurtenances, complete	1 Each	41,600.00	41,600.00

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY, FLORIDA

NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT
OF PRE-TREATMENT BUILDING SLUICE GATES
CONTRACT NO. S-775R

ESTIMATE: $1,100,000

TABULATION OF BIDS — October 12, 2006

BIDDERS: Intrastate Construction Corp., 8488 State Road 84, Davie, FL 33324

ITEM NO.	DESCRIPTION	QUANT.	Unit	Total
9.	Installation of the 72-inch x 48-inch sluice gate, guides, actuator & appurtenances including removal of existing 72-inch x 48-inch sluice gate, preparatory cleaning for installation rehabilitation of thimbles, startup & testing complete	1 Each	$28,600.00	$28,600.00
10.	Constructing patching repairs on areas lined with Linabond as ordered by the Engineer	2,200 Sq. Ft. (Cont. Item)	60.00	132,000.00
11.	Constructing patching repairs on areas coated with Sauereisen in the pretreatment building influent chambers as ordered by the Engineer	2,000 Sq. Ft. (Cont. Item)	60.00	120,000.00
12.	Performing patching repairs on areas coated/lined with other concrete protective coatings/liners (concrete protective coatings/liner, concrete & reinforcement) as ordered by the Engineer	2,350 Sq. Ft. (Cont. Item)	90.00	211,500.00
13.	Removing the existing (360 degree) T-lock liner & installing a (360 degree) concrete protective coating on the 84-inch concrete pipes & bends entering the pretreatment building, as shown on the Plans	2,600 Sq. Ft. (Cont. Item)	98.00	254,800.00
14.	Cleaning all interior surfaces of the pipe & chambers areas to be rehabilitated, together with removal & disposal of cleaning debris, sludge & grit material accumulated in the pipes & structures prior to start of work & during cleaning	200 Cubic Yards (Cont. Item)	105.00	21,000.00
15.	Subtotal, The total of Bid Items 1 through 14			1,455,500.00
16.	Unforeseen conditions, for minor construction changes and for quantity adjustments, if ordered by the Engineer, the sum of 10% of the Subtotal, Item No. 15, (.10)X (Subtotal Item No. 15)	Allowance Account		145,550.00
	TOTAL BID (Items 15 and 16)			**$1,601,050.00**

DEPARTMENT OF BUSINESS DEVELOPMENT

MIAMI DADE COUNTY

Firm History Report

(excluding A&E)

From: 01/26/2002 **To:** 01/26/2007

FIRM NAME: INTRASTATE CONSTRUCTION CORPORATION
8488 State Rd 84
Davie, FL 33324-0000

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAID TO PRIME	AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
S-775R	1	WS	NO MEASURE	01/26/2007	$1,601,050.00	$1,064,992.00	09/11/2008			

NORTH DISTRICT WASTEWATER TREATMENT PLANT
REPLACEMENT OF PRE-TREATMENT BUILDING
SLUICE GATES (SIC 16)

$1,601,050.00

Total Award Amount	**$1,601,050.00**
Total Change Orders Approved by BCC	**$0**
	$1,601,050.00
Total Change Orders Approved After Requested Date Range	**$0.00**
Total Change Orders Pending	**$0.00**
	$1,601,050.00

22

* Indicates closed or expired contracts

Change Orders without dates are pending BCC approval

Find Contracts With Search String ==> | Projects

Goto Bottom

Exit

OFFICE OF CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENTS INFORMATION SYSTEM

Friday, October 10, 2008

All Contracts for FEIN 650361143

Intrastate Construction Corporation

DST	DPT	Type	Contract	Name	Location / Contractor	Estimated Completion Date	Total Award	Last Status Date	% Complete / Status *
4	WS	CON	S-775R	North District Wastewater Treatment Plant Replacemen	Intrastate Construction Corpor	6/1/2009	$1,773,500	4/14/2008	65% / On Schedule
					Totals:	1	$1,773,500		

* Yellow Status=Inactive Contract

Contracts Status View | Exit | Projects | Goto Top

23

Exit

Capital Improvements Information System

Contractor Evaluations Report

Dept	Contract	Type	Contractor / Architect Name	Date	Rater	Period	Rate
WS	S-775R	CON	Intrastate Construction Corporation	10/7/2008	Jules Durand	Interim	3.0

Evaluation Count: 1 Contractors: 1 Average Evaluation: 3.0

Exit

MIAMI-DADE COUNTY, FLORIDA

Capital Improvements Information System

Miami-Dade Water and Sewer Department

Project Evaluation

Evaluation Type: Standard Evaluation

Contract: S-775R
Work Order No: N/A
Contract Name: North District Wastewater Treatment Plant Replacement of Pre-Treatment Building Sluice Gates
Contact: Jules Durand
Award Amount: $1,455,500.00
786-552-8144
Contract Type: CONSTRUCTION
Contractor / Consultant: Intrastate Construction Corporation
FEIN: 650361143

Evaluator ID: jdura Date: 10/7/2008 Period: Interim

Rating *						
	4	3	2	1	N/A	Criteria
1-		✓				Schedule - Quality of schedule & adherence to schedule resulting in timeliness and minimizing delay to the owner and community.
2-		✓				Cost effectiveness & efficiency - Budget compliance & value of work.
3-		✓				Vision - Design - Concepts or adherence to criteria.
4-		✓				Cooperation - Teamwork & relationship with owner, subs and suppliers.
5-		✓				Coordination - Ability to organize, schedule and complete tasks in adherence to the schedule.
6-					✓	Accuracy & Technical Skills - Cost estimating, scheduling, shop and other drawings, plans, manuals, project documentation and conflict resolution.
7-		✓				Completeness - Compliance with contract documents, permits, Codes & standards.
8-		✓				Responsiveness - Timely, clear & concise responses to owner comments and correspondence.
9-					✓	Commitment - Intangibles & contribution to project success.
10-		✓				Personnel - Quality and dedication of project staff.
11-		✓				Management - Leadership ability.
12-		✓				Quality - Work performed correctly the first time.

Overall Performance Average: 3.0

Documentation that supports this evaluation and Contractor's/Consultant's comments can be obtained by contacting:

Jules Durand at Phone# 786-552-8144

Evaluation Reviewed by: Supervisor ☑ Division Chief ☐ Assistant Director ☐ Director ☐

The method of delivery of this evaluation to contractor/consultant: Certified Mail ☐ EMail ☑ Fax ☐ Hand ☐

(Unresponsive Performance by contractor/consultant requires 2 delivery methods)

Evaluation delivered to:

25

* Rating Key

4 Superior performance - Exemplary quality, no intervention required - project completed on time or early at or below budget with no change orders or amendments other than owner requested changes.

3 Satisfactory performance - Minor errors noted, addressed with timely corrective action. No serious errors noted or corrective action needed.

2 Guarded performance Errors and Omissions documented in writing with timely corrective action.

1 Unresponsive performance documented in writing without timely corrective action.

N/A. No Information

MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

CHANGE ORDER TO ORIGINAL CONTRACT

CHANGE ORDER NO: 1 **CONTRACT NO:** S-775R **DATE:** 6/3/2008

PROJECT TITLE: North District Wastewater Treatment Plant Replacement of Pre-Treatment Building Sluice Gates

TO CONTRACTOR: Intrastate Construction Corporation 8488 State Road 84 Davie, FL 33324

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: This Change Order is to request an increase in the contract amount and a time extension. For details see the monetary and time justifications.

Monetary Justification: The contract drawings for the replacement of the sluice gates, and the rehabilitation of the north and south chambers at the Pre-Treatment Building of the NDWWTP were completed in January 2003. This work is necessary because the sluice gates were not working properly and 10 years has passed since the protective coatings on the chamber walls in the North and South Chambers had been rehabilitated. (Continued below)

Time Justification: A scrivener's error in the contract specifications did not allow for sufficient time to complete the project. The time allowed for this contract was 365-days, contemplating the work to be done in two consecutive dry seasons (December thru May) by stopping the clock and allowing the Contractor to resume the work after the wet season (June thru November). The CIIS data base does not (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT	$1,601,050.00
COST OF CHANGES PREVIOUSLY ORDERED	$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE	$1,601,050.00
COST OF CHANGES WITH THIS DOCUMENT	$318,000.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE	$1,919,050.00
PERCENT INCREASE WITH THIS CHANGE	20%
TOTAL PERCENT INCREASE TO DATE	20%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	365 / 0 / ~~256~~ 214
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	37 / 0 / ~~37~~ 0
ADJUSTED DURATION INCLUDING THIS CHANGE	621

CERTIFYING STATEMENT: *I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.*

Approved: ENGINEER OR CONSULTING ENGINEER _____ Date: 9-30-2008

Recommended By: PROJECT MANAGER _____ Date: 9/29/08

TO BE FILLED OUT BY MIAMI-DADE WATER AND SEWER DEPARTMENT

FUNDS BUDGET CODE S047548 EW643 S047694 EW623

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION: _____ Date: 9/30/08

Accepted By:

Organization	Name	Title	Date
Intrastate Construction Corporation	Lisa Bisogno Lisa Bisogno	President Contractor	9/24/08
Surety HARTFORD CASUALTY INSURANCE COMPANY	S.P. HUMZDCHICK, ATTORNEY-IN-FACT AND FLORIDA RESIDENT AGENT 954-796-4076	Surety	9/24/08

27

Title	Name	Date
Reviewed By: **Manager, Construction Division**	For Armando Ruano	9/29/08
Approved By: **Assistant Director**		9/29/08
Approved By: **Director**		10-8-08
Approved By: **Director, DBD**		10/16/08
Approved By: **Director, OSBM**	10/17/08	10/27/08
Approved By: **County Attorney**		10-10-08
Approved By: **County Manager**		
Attested By: **Clerk of the Board**		

Time Justification: (Continued)

allow for this methodology to be used in changing and modifying the dates imbedded in the files. Therefore, a time extension is also necessary to complete the contract within the two consecutive dry seasons along with the procurement of the new sluice gates, which are long lead items and the time the Contractor is not able to work. The time extension necessary to complete this contract will be 256 days. This amount of days has been arrived at by applying the Notice to Proceed date of September 19, 2007, and completing the project on June 1, 2009.

Bid Item 17 of the Contract Document is a Time Allowance Account with a maximum number of 37 calendar days. The WASD Engineer has granted a 37-day time extension using this provision. Therefore, WASD is requesting the remaining 219 days be approved through this Change Order.

Monetary Justification: (Continued)

The NDWWTP was constructed in the late 1970s, and the corrosive environment inherent to wastewater treatment plants has led to the deterioration of the sluice gates and the concrete protective coating.

The North and South Chambers are located within the Pre-Treatment Building and are designed to remove solids from the wastewater before it is treated. Due to operational concerns, heavy plant flows, and to prevent sanitary sewer overflows in the system, the North and South Chambers could not be taken out of service to obtain the exact measurements necessary for the repairs to rehabilitate the interior of the chambers. The contract information and specifications regarding the number of square feet was based on inspections performed by NDWWTP personnel in years past. The personnel involved in these inspections have retired, and or, left County employment.

The Notice to Proceed for this project was issued for September 19, 2007. The replacement of the sluice gates and the repair of the protective coating of the South Chamber walls were completed during the dry-season of December 2007 to May 1, 2008. The estimated quantity of area in need of repair work was 2,000 square feet, the actual repairs covered a total of 4,816 square feet. The Contractor has been compensated for these repairs via the existing contract bid item and the contingency item.

Additional funds are necessary to complete the project to perform repairs to the North Chamber. WASD estimates that 5,300 square feet are in need of protective coating repairs in the North Chamber, or 10% more square footage than the total area repaired in the South Chamber. The proposed cost to complete the North Chamber would be at the contract bid item price of $60.00/SF and will not exceed a total cost of $318,000.00.

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

POWER OF ATTORNEY

Direct Inquiries/Claims to:
THE HARTFORD
BOND, T-4
690 ASYLUM AVENUE
HARTFORD, CONNECTICUT 06115
call: **888-266-3488** *or fax:* **860-757-5835**

KNOW ALL PERSONS BY THESE PRESENTS THAT: **Agency Code: 35-355032**

- [X] **Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- [X] **Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- [X] **Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- [ ] **Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- [ ] **Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- [ ] **Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- [ ] **Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- [ ] **Hartford Insurance Company of the Southeast,** a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, ***up to the amount of unlimited:***

Jay E. Woody, S.P. Humenchick, Wendy L. Hingson, Carey L. Roberts, D.A. Valenti
of
Fort Myers, FL

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments 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, and as authorized by a Resolution of the Board of Directors of the Companies on July 21, 2003 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.

Paul A. Bergenholtz, Assistant Secretary

David T. Akers, Assistant Vice President

STATE OF CONNECTICUT } ss. Hartford
COUNTY OF HARTFORD }

On this 23rd day of July, 2003, before me personally came David T. Akers, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hampden, Commonwealth of Massachusetts; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.

Scott E. Paseka
Notary Public
My Commission Expires October 31, 2007

CERTIFICATE

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of SEPTEMBER 24, 2008

Signed and sealed at the City of Hartford.

Yves Cantin, Assistant Vice President

29