

## SUPPLEMENTAL AGREEMENT

Bond No. FLC86497

S.A. Number: 002

Contract Number: E7P76-R0

Page 1 of 2

Financial Project Number: 41602237206

Project Description: Guardrail Repair and Maintenance

This agreement entered into on July 31st, 2023, such an agreement to be effective on the last date of execution by a party hereto, by and between the State of Florida Department of Transportation, "Department", and Grading & Bush Hog Services, Inc., "Contractor", and Merchants Bonding Company (Mutual), "Surety", the same being supplementary to Contract E7P76-R0 by and between the parties aforesaid, dated 12/19/2022, for the construction, improvement, or maintenance of the road(s) and bridge(s) assigned the project number(s) shown above, in Citrus, Hernando and Pasco Count(y)(ies) Florida.

(1) See page 2 of this Supplemental Agreement.

Revised Plan Sheet Nos. N/A

(2) The quantities to be paid shall be determined as provided in the Standard Specification, Edition of July 2022. The quantities so determined shall be paid at the unit prices stated on the attached sheets.

(3) It is further agreed that this supplemental agreement shall not alter or change in any manner the force and effect of the original Contract No. E7P76-R0, including any previous amendments thereto, except insofar as the same is altered and amended by this supplemental agreement.

(4) The Department and the Contractor agree that the contract time adjustment and sum agreed to in the Supplemental Agreement constitute a full and complete settlement of the matters set forth herein, including all direct and indirect costs for equipment, manpower, materials, overhead, profit and delay relating to the issues set forth in the Supplemental Agreement. This settlement is limited to and applies to any claims arising out of or on account of the matters described and set forth in this Supplemental Agreement.

Granted Time this Agreement 0 DaysNet Change in Contract this Agreement: Increase \$ 67,862.50  
No Change ☐Decrease \$ 0.00

Approved By:

W. Tyler Matthews

Secretary or Designee Signature

Printed Name W. Tyler MatthewsTitle Brooksville Operations EngineerDate 07/31/2023 | 9:16 AM EDT

Executed By:

Contractor Signature

Printed Name Jeffrey S. GriffinTitle PresidentDate 7/24/23

Executed By:

DocuSigned by:

Jason Boulnois

Secretary or Designee Signature

Printed Name Jason BoulnoisTitle District Maintenance EngineerDate 07/31/2023 | 9:47 AM EDT

ATTEST

Secretary

Date

Merchants Bonding Company (Mutual) (SEAL)

Surety

BY

Florida Licensed Insurance Agent  
Robert T. TheusDate 07/20/2023

DocuSigned by:

Martin Hernandez

Attorney Signature, Department of Transportation, Legal Review

Printed Name Martin HernandezDate 07/19/2023 | 11:06 AM EDT

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

**SUPPLEMENTAL AGREEMENT**

850-070-45

MAINTENANCE

06/18

S.A. Number: 002

Contract Number: E7P76-R0

Page 02 of 02

Financial Project Number: 41602237206

Project Description: Guardrail Repair and Maintenance

(1) (continued):

**Contract Amendment:** In consideration for the \$67,862.50 increase in the contract price and zero (0) days additional Contract Time granted to the Contractor, the Department and the Contractor agree that FDOT Contract E7P76-R0 (Contract) is amended to include the following additional work, labor, materials, and equipment identified in Attachment "A" to this Supplemental Agreement consisting of one page. Attachment "A" is incorporated into and made a part of the Contract.

**Reason:** Pursuant to section 337.11(9)(b), F.S., to provide for unforeseen work, this Supplemental Agreement will add additional pay item quantities for use on various state roads in Hernando and Pasco Counties to address guardrail repairs identified in the guardrail inspection report. This Supplemental Agreement request is not to be carried forward to subsequent renewals.

Attachment "A"

Pay Items Affected by Supplemental Agreement

Contract #	E7P76-R0						
Short Discription	Guardrail Repair						
SA #	002						
<u>Pay Item Description</u>	<u>Pay Item Number</u>	<u>Pay Item Current Quantity</u>	<u>Pay Item Unit Cost</u>	<u>Pay Item Extended</u>	<u>SA Quantity Change</u>	<u>New Contract Quantity</u>	<u>SA Item Extended Cost</u>
Miscellaneous Asphalt Pavement	0339 1	6.000	\$ 150.00	\$ 900.00	5.000	11.000	\$ 1,650.00
Pipe Handrail - Guiderail, Steel	0515 1 1	160.000	\$ 100.00	\$ 16,000.00	50.000	210.000	\$ 21,000.00
Pipe Handrail - Guiderail, Aluminum	0515 1 2	1,000.000	\$ 60.00	\$ 60,000.00	150.000	1,150.000	\$ 69,000.00
Guardrail Removal	0536 73	1,700.000	\$ 1.50	\$ 2,550.00	175.000	1,875.000	\$ 2,812.50
Guardrail End Treatment - Parallel Approach Terminal	0536 85 24	15.000	\$ 3,000.00	\$ 45,000.00	4.000	19.000	\$ 57,000.00
Guardrail Reset	0538 1	250.000	\$ 10.00	\$ 2,500.00	1,500.000	1,750.000	\$ 17,500.00
Guardrail Repairs (Replace) (Offset Block)	E536 12616	550.000	\$ 20.00	\$ 11,000.00	400.000	950.000	\$ 19,000.00
Miscellaneous Guardrail Maintenance	E536 15	17,000.000	\$ 2.00	\$ 34,000.00	1,500.000	18,500.000	\$ 37,000.00
End Anchorage Assembly Type II (Replace Round End Section)	E536301502	5.000	\$ 60.00	\$ 300.00	10.000	15.000	\$ 900.00
End Anchorage Assembly Type IV (Replace Buffer End Section)	E536302503	4.000	\$ 100.00	\$ 400.00	10.000	14.000	\$ 1,400.00
End Anchor Assem Flared (Repl Timber Break Post)	E536322508	90.000	\$ 100.00	\$ 9,000.00	45.000	135.000	\$ 13,500.00
End Achor Assem Flared (Replace Amber Reflect Sheet)	E536322515	20.000	\$ 100.00	\$ 2,000.00	20.000	40.000	\$ 4,000.00
End Achor Assem Flared (Replace Short Timber Break Post)	E536322517	60.000	\$ 150.00	\$ 9,000.00	45.000	105.000	\$ 15,750.00
				\$ 192,650.00			\$ 260,512.50
					SA Net \$ Change	\$ 67,862.50	

# MERCHANTS BONDING COMPANY™

## POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Benjamin Powell; Fitzhugh K Powell Jr; Robert T Theus; Susan W Jordan

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) 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.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

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.

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.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 8th day of December, 2022.



MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.  
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By

*Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF DALLAS ss.

On this 8th day of December, 2022, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



*Kim Lee*  
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., 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 and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 20th day of July, 2023.



*William Warner Jr.*  
Secretary

To: Jaclyn.Berberian@dot.state.fl.us

**FLORIDA DEPARTMENT OF TRANSPORTATION  
FUNDS APPROVAL****E7P76****7/19/2023****CONTRACT INFORMATION**

<b>Contract:</b>	E7P76
<b>Contract Type:</b>	EM - DISTRICT MAINTENANCE CONTRACTS (DIS/MAINT)
<b>Method of Procurement:</b>	X - COMPETITIVE BID (337.11,F.S.)
<b>Vendor Name:</b>	GRADING & BUSH HOG SERVICES IN
<b>Vendor ID:</b>	F593198636001
<b>Beginning Date of This Agreement:</b>	12/19/2022
<b>Ending Date of This Agreement:</b>	02/06/2024
<b>Contract Total/Budgetary Ceiling:</b>	ct = \$197,862.50
<b>Description:</b>	Brooksville Guardrail Repair Contract - Routine Maintenance

**FUNDS APPROVAL INFORMATION****FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 7/19/2023**

<b>Action:</b>	Supplemental
<b>Reviewed or Approved:</b>	APPROVED
<b>Organization Code:</b>	55074040710
<b>Expansion Option:</b>	A1
<b>Object Code:</b>	242059
<b>Amount:</b>	\$67,862.50
<b>Financial Project:</b>	41602237206
<b>Work Activity (FCT):</b>	526
<b>CFDA:</b>	
<b>Fiscal Year:</b>	2024
<b>Budget Entity:</b>	55150200
<b>Category/Category Year:</b>	088712/24
<b>Amendment ID:</b>	S001
<b>Sequence:</b>	00
<b>User Assigned ID:</b>	SA #2
<b>Enc Line (6s)/Status:</b>	0002/04

**Total Amount: \$67,862.50**