
CONSTRUCTION CONTRACTS

- 14. Accept and authorize the Chairman to execute the Certificate of Final Completion for CC-1255-05/TLR – Ditch Debris Clean-up/Clearing and Grubbing (Certificate of Completion).**

CC-1255-05/TLR provided for all labor, materials, equipment, coordination, transportation and incidentals necessary for removal and disposal of fallen vegetation, or vegetation that is threatening to fall into the County's canals, ditches and drainage easements as a result of Hurricane Charlie, Hurricane Frances and Hurricane Jeanne.

As of January 3, 2006 all work and documentation have been satisfactory completed. Public Works Department/Roads-Stormwater Division and Fiscal Services Department/Purchasing and Contracts Division recommend that the Board approve the acceptance and authorize the Chairman to execute the Certificate of Completion.

SEMINOLE COUNTY CERTIFICATE OF FINAL INSPECTION

Agreement Title: DITCH DEBRIS CLEANUP (NRCS)

COUNTY Contract No. CC1255-05/TLR-12272

To: CONTRACTOR GARLAND CONSTRUCTION CO.

Project Manager MICHAEL F. GARCIA / PUBLIC WORKS - ROADS STORMWATER

A joint inspection of the Work described in the Contract Documents has been made by the COUNTY and the CONTRACTOR on July 1, 2005 in accordance with Section 14 of the General Conditions, and is accepted by the COUNTY, subject to the provisions of subsection 13.11 of the General Conditions, or for a period of warranty as otherwise agreed upon and attached.

Accepted by:

CONTRACTOR GARLAND CONSTRUCTION CO.

Verna Garland
Verna Garland, Owner Contractor by

Eduardo J. Torres
Engineer by

Reviewed by:

[Signature]
Contracts Supervisor

4 January 2006
Date

CERTIFICATE OF ENGINEER

Agreement Title:

DITCH DEBRIS CLEAN UP (NRCS)

County Contract No.:

CC1255-05 / TLR 12272

Agreement Date:

03/29/05

Project:

DITCH DEBRIS CLEAN UP (NRCS)

CERTIFICATE OF ENGINEER

I certify that the Work under the above named Agreement has been satisfactorily completed under the terms of the Contract Documents that the Project is recommended for occupancy by the County; that the CONTRACTOR has submitted satisfactory evidence that he has paid all labor, materials and other charges against the Project in accordance with the terms of the Contract Documents.

Agreement Date:

03/29/05

CONTRACTOR's Notice to Proceed:

04/05/05

Days allowed by Agreement:

90 DAYS

Extensions granted by C.O.:

NONE

Scheduled Completion Date:

07/04/05

Work began:

04/05/05

Project Substantially Completed:

07/04/05

Days to complete:

0

Underrun:

0

Overrun:

0

Date

8/23/05

Engineer

Edward J. Torres

CERTIFICATE OF FINAL COMPLETION

Agreement Title: DITCH DEBRIS CLEAN UP (NRCS)

County Contract No: CC1255-05 / TLR - 12272

Project: DITCH DEBRIS CLEAN UP (NRCS)

Contractor: GARLAND CONSTRUCTION Co.

Agreement for: DITCH DEBRIS CLEAN UP (NRCS) Agreement date: 3/29/05

This Certificate of Final Completion applies to all work under the Contract Documents

To: SEMINOLE COUNTY ROADS
Engineer

To: GARLAND CONSTRUCTION Co.
Contractor

To: _____
Seminole County Board of County Commissioners

The Work to which this Certificate applies has been inspected by authorized representatives of CONTRACTOR, and ENGINEER, and that Work is hereby declared to be finally complete in accordance with the Contract Documents on:

Date of Final Completion:

07/04/05

This certificate constitutes an acceptance of Work excepting latent defects, warranty work, maintenance, and other post Final Completion obligations of the CONTRACTOR under the Contract Documents.

Executed by ENGINEER ON August 23, 2005


ENGINEER

BY: Edward J. Torres

CONTRACTOR accepts this certificate of Final Completion on August 16, 2005.

GARLAND CONSTRUCTION CO.

Verna Garland
CONTRACTOR

BY: Verna Garland, Owner

COUNTY accepts this Certificate of Final Completion on _____, 20____.

ATTEST:

BOARD OF COUNT COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

Clerk of the Board of
County Commissioners of
Seminole County, Florida

BY: _____, Chairman

Date: _____

CONTRACTOR'S RELEASE

Agreement Title: DITCH DEBRIS CLEAN UP (NRCS) County Contract No.: CC 1255-05/TLR-12272

Note: This CONTRACTOR's Release must be submitted simultaneously with the CONTRACTOR's request for Final Payment and Subcontractor Affidavits.

BEFORE ME, the undersigned authority is said County and State, appeared Verna Garland who, being duly sworn and personally know to me, deposes and says that he/she is Owner of Garland Construction Co. a company and/or corporation authorized to do business under the laws of Florida, which is the CONTRACTOR on Ditch Debris Clean Up (NRCS), located in Seminole County, Florida, dated the 16th day of August, 2005, that the deponent is duly authorized to make this affidavit by resolution of the Board of Directors of said company and/or corporation; that deponent knows of their own knowledge that said Agreement has been complied with in every particular by said CONTRACTOR and that all parts of the Work have been approved by the COUNTY's Engineer; that there are no bills remaining unpaid for labor, Materials, or otherwise, in connection with said Agreement and Work, and that there are no suits pending against the undersigned as CONTRACTOR or anyone in connection with the Work done and Materials furnished or otherwise under this Agreement. Deponent further says that the final estimate in the amount of \$ 121,489.92 which has been submitted to the COUNTY simultaneously with the making of this affidavit constitutes all claims and demands against the COUNTY on account of said Agreement or otherwise, and that acceptance of the sum specified in said final estimate in the amount of \$ 121,489.92 will operate as a full and final release and discharge of the COUNTY from any further claims, demands or compensation by CONTRACTOR under the above Agreement. Deponent further agrees that all guarantees under this Agreement shall start and be in full force from the date of this release as spelled out in the Contract Documents.

Verna Garland
Affiant

State of NORTH CAROLINA)
) ss
County of GRAHAM)

The foregoing instrument was acknowledged before me this 16th day of August, 2005, by Verna Garland, who is personally known to me or who has produced _____ as identification.

Laverne H Carpenter
Signature

Print name: Laverne H Carpenter
Notary Public in and for the County and
State Aforementioned

My commission expires: 03-28-2009

CONTRACTOR'S WAIVER OF LIEN (Final and Complete)

Copy of Affidavit To Be Presented With CONTRACTOR'S Request For Final Payment

State of NORTH CAROLINA

County of GRAHAM

Verna Garland, being duly sworn according to law, deposes and says that he is the Owner (Title of Office of Garland Construction Co.

CONTRACTOR in a Contract entered into between the CONTRACTOR and COUNTY for the Ditch Debris Clean Up (NRCS) and that he is authorized to and does make this affidavit in behalf of said Contractor.

The Affiant further deposes and says:

1. That all Work has been performed in accordance with the terms of the Contract Documents, the CONTRACTOR alone has made all subcontracts, and the CONTRACTOR and his subcontractors have purchased all Materials and fixtures and employed all labor in the performance of the Work.
2. That all laborers, materialmen, mechanics, manufacture and subcontractors who have furnished services, labor, fixtures or materials or any one or all of these items have been satisfied and paid in full for the Work performed, materials, fixtures, or services supplied. That the CONTRACTOR is not indebted to any person or laborer or Materials used in connection with the Work in any amount whatsoever.
3. That there are no outstanding claims of any nature, contractual or otherwise, or for any personal injury, death or property damage, arising from or associated with the performance of the Work that might be the basis of any claim, suite, lien or demand that could be asserted against either the COUNTY or the CONTRACTORS.
4. That all Bonds and insurance policies required under the Contract Documents are presently in effect and shall not be permitted to expire for the time periods required by the Contract Documents.
5. This affidavit is made for the purpose of inducing the COUNTY to make Final Payment, and acceptance of such Final Payment by CONTRACTOR shall release the COUNTY from any further liability under the Contract Documents.

Verna Garland
Signature of Affiant

Owner

Title

State of NORTH CAROLINA

) ss

County of GRAHAM)

The foregoing instrument was acknowledged before me this 16th day of August, 2005, by Verna Garland, who is personally known to me or who has produced _____ as identification.

Lavera H Carpenter
Signature

Print name: LAVERA H CARPENTER
Notary Public in and for the County and State Aforementioned

My commission expires: 3-28-2009

CONTRACTOR'S WAIVER OF LIEN (FINAL AND COMPLETE)
6/19/96

App. Q-1

CONSENT OF SURETY TO FINAL PAYMENT

We, the Great American Insurance Co having heretofore executed Performance and Payment Bonds for the above named CONTRACTOR covering the Projects as described above in the sum of FIVE HUNDRED TWENTY EIGHT THOUSAND, ONE HUNDRED EIGHTY Dollars (\$528,180.00) hereby agree that the COUNTY may make full payment of the final estimate, including the retained percentage, to said CONTRACTOR. The Surety concurs that full payment to the CONTRACTOR is appropriate and the Surety expressly releases the COUNTY from all liability to Surety resulting from full payment to CONTRACTOR.

It is fully understood that the granting of the right to the COUNTY to make payment of the final estimate to said CONTRACTOR and /or his assigns, shall in no way relieve this Surety company of its obligations under its bonds, as set forth in the Contract Documents and Bonds pertaining to the above Projects.

IN WITNESS WHEREOF, the Great American Insurance Co. has caused this instrument to be executed on its behalf of its GARLAND CONSTRUCTION -and its duly authorized attorney in fact, and its corporate seal to be hereunto affixed, all on this 16 day of Sept 20 05.

Great American Insurance Co
Surety Company

W. C. Gaude

W. C. Gaude
Attorney-in-Fact

(Power of Attorney must be attached if executed by Attorney-in-Fact)

State of NORTH CAROLINA

County of GRAHAM

} ss

)

The foregoing instrument was acknowledged before me this 16th day of August 2005, by W. C. Gaude, who is personally known to me or who has produced _____ as identification.

Lavera H. Carpenter
Signature

Print name: Lavera H. Carpenter
Notary Public in and for the County and
State Aforementioned

My commission expires. 03-28-2009

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than ONE

No. 0 15834

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute in behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
W.C. GAUDE	KNOXVILLE, TENNESSEE	UNLIMITED

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 11TH day of DECEMBER, 2002
Attest GREAT AMERICAN INSURANCE COMPANY

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 11TH day of DECEMBER, 2002, before me personally appeared DOUGLAS R. BOWEN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is the Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated March 1, 1993.

RESOLVED: That the Division President, the several Division Vice Presidents and Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract or suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, RONALD C. HAYES, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of March 1, 1993 have not been revoked and are now in full force and effect.

Signed and sealed this

16 day of August, 2005