

**AMENDMENT 9 TO ADDENDUM #20  
BP-S173, SOUTH TERMINAL C, PHASE 1 - LANDSIDE TERMINAL, MEP  
SYSTEMS - FDOT (GMP#7-S.3)**

This Amendment is effective this 23 day of May, 20 22, by and between the **Greater Orlando Aviation Authority** ("Owner") and **Turner-Kiewit Joint Venture** ("CM@R").

WHEREAS, by Agreement dated January 11, 2017, the Owner and the CM@R entered into an agreement for Construction Management at Risk Services for the South Airport Terminal C, Phase 1 ("Program"); and

WHEREAS, on November 30, 2018, the parties entered into Addendum 20 in the amount of \$112,987,835.00 to provide for the award of BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on September 17, 2019, the parties entered into Amendment 1 to Addendum 20 in the amount of \$4,875,593.00 to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on October 4, 2019, the parties entered into Amendment 2 to Addendum 20 in the amount of \$10,897,857.00 to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on October 9, 2020, the parties entered into Amendment 3 to Addendum 20 in the amount of \$2,317,855.00 to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on April 2, 2021, the parties entered into Amendment 4 to Addendum 20 in the amount of (\$1,523,572.00) to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on August 24, 2021, the parties entered into Amendment 5 to Addendum 20 in the amount of \$614,341.00 to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on September 28, 2021, the parties entered into Amendment 6 to Addendum 20 in the amount of \$1,537,615.00 to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on February 2, 2022, the parties entered into Amendment 7 to Addendum 20 in the amount of (\$236,285.00) to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, on March 23, 2022, the parties entered into Amendment 8 to Addendum 20 in the amount of \$1,100,000.00 to provide for GMP revisions to BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3); and

WHEREAS, the parties desire to enter into this Amendment 9 to Addendum 20 for BP-S173, South Terminal C, Phase 1 - Landside Terminal, MEP Systems - FDOT (GMP#7-S.3) as more fully described below.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Owner and the CM@R do hereby agree as follows:

1. The Guaranteed Maximum Price as more fully described in Exhibit A is hereby revised to the following:

GMP Total P1, P1X, CBP & TSA	Original GMP Budget*	Current GMP Budget**	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	\$55,680,412	\$127,566,102	\$0	\$127,566,102
Unbought Scope	\$45,420,000	\$0	\$0	\$0
CM@R Contingency	\$4,044,016	\$394,988	\$0	\$394,988
Owner Contingency	\$2,527,510	\$1,273,437	(\$84,776)	\$1,188,661
P&P Bond	\$750,239	\$903,734	(\$655)	\$903,079
Fee (4.211%)	\$4,565,658	\$5,480,122	(\$3,597)	\$5,476,525
<b>TOTAL</b>	<b>\$112,987,835</b>	<b>\$135,618,383</b>	<b>(\$89,028)</b>	<b>\$135,529,355</b>

\*Approved at CCM 10/16/2018 Item 12J

\*\*Current GMP Budget as of CCM 04/12/2022

2. The Consent of Surety that reflects the current cumulative contract value is attached hereto and incorporated herein as Exhibit B.
3. Except as expressly modified herein, the terms and conditions of the Agreement and Addendum #20 remain unchanged. In the event of a conflict between the terms of this Amendment and those of the Agreement or Addendum #20, the terms of this Amendment shall prevail and control.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year first written above.

**CMAR  
Turner-Kiewit Joint Venture**

By: 


Print Name: Dan LaMorte

Title: Vice President / General Manager

**OWNER  
Greater Orlando Aviation Authority**

By: 

Kevin J. Thibault, P.E.  
Chief Executive Officer

Approved as to Form and Legality (for the benefit of GOAA only)  
this 20 day of May, 2022  
By:   
NELSON MULLINS BROAD AND CASSEL  
Legal Counsel  
Greater Orlando Aviation Authority

RIDER 40

EXECUTED IN DUPLICATE

TURNER BOND NUMBERS: Liberty Bond No.: 015055170; Travelers Bond No.: 106646473; F&D/Zurich Bond No.: 9247702; Federal Bond No.: 8245-16-65; Continental Bond No.: 30001393; BH Bond No.: 47-SUR-300033-01-0097

KIEWIT BOND NUMBER: Travelers Bond No. : 106674142

**SOUTH AIRPORT TERMINAL C, PHASE 1  
CONSENT OF SURETY TO DECREASE THE PENAL SUM OF THE BONDS**

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, TURNER-KIEWIT JOINT VENTURE. as Principal, and LIBERTY MUTUAL INSURANCE COMPANY, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, FIDELITY AND DEPOSIT COMPANY OF MARYLAND, ZURICH AMERICAN INSURANCE COMPANY, FEDERAL INSURANCE COMPANY, THE CONTINENTAL INSURANCE COMPANY AND BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, as Surety, hereby acknowledge that the Payment and Performance Bonds, dated effective June 15, 2017, that were executed by the Principal and Surety and submitted to the GREATER ORLANDO AVIATION AUTHORITY remain in effect and the Cumulative Contract Value is hereby decreased to reflect the execution of **Amendment 7 to Addendum 13, Amendment 9 to Addendum 19, Amendment 6 to Addendum 24, Amendment 9 to addendum 20 and Amendment 6 to Addendum 21** which are hereby referenced and incorporated into the Bonds, and, therefore, the Penal Sum for each Bond is hereby decreased to **ONE BILLION THREE HUNDRED EIGHTY-SEVEN MILLION TWO HUNDRED FORTY-FOUR THOUSAND FORTY-TWO AND 47/100 DOLLARS (\$1,387,244,042.47)**. All other terms of the Bonds shall remain unchanged.

SIGNED THIS 5th DAY OF May, 2022.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, on the date set forth above.

Signed, sealed and delivered  
in the presence of:

TURNER-KIEWIT JOINT VENTURE, Principal

By: 

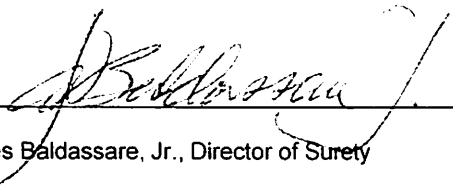
Daniel R. Lamorte, VP and General Manager  
Name and Title

\_\_\_\_\_  
(SEAL)

LIBERTY MUTUAL INSURANCE COMPANY, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, FIDELITY AND DEPOSIT COMPANY OF MARYLAND, ZURICH AMERICAN INSURANCE COMPANY, FEDERAL INSURANCE COMPANY, THE CONTINENTAL INSURANCE COMPANY AND BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, Surety

By: 

John F. Surano, Attorney - in - Fact  
Name and Title  
Turner Surety and Insurance Brokerage, Inc.  
Agency  
250 Pehle Avenue, Suite 311, Saddle Brook, NJ 07663  
Address  
Florida License# W027019

  
James Baldassare, Jr., Director of Surety  
(SEAL)

N/A  
(Countersignature by a Florida Licensed Agent)  
\_\_\_\_\_  
Name and Title  
\_\_\_\_\_  
Agency  
\_\_\_\_\_  
Address

NOTE: The respective corporate seals should be affixed. Additionally, a certified copy of a Power-of-Attorney appointing the individual Attorney-in-Fact for the Surety, as well as the Power-of-Attorney appointing the Florida licensed agent, should be attached.

**ACKNOWLEDGMENT**

STATE OF Florida  
COUNTY OF Orange

On this 5 day of May, 2022, before me personally appeared Dan LaMotte to me known, who by me being duly sworn, did depose and say: that he is a member or manager of the joint venture Turner Hewitt and that he is authorized to execute the attached surety bond in the name of and for the joint venture above named, and that he acknowledged to me that he signed the attached instrument pursuant to such authority.

Felieca A. Cordle  
Notary Public Felieca A. Cordle



Felieca A. Cordle  
Comm.: HH 159724  
Expires: Nov. 16, 2025  
Notary Public - State of Florida

My commission expires: 11.16.25

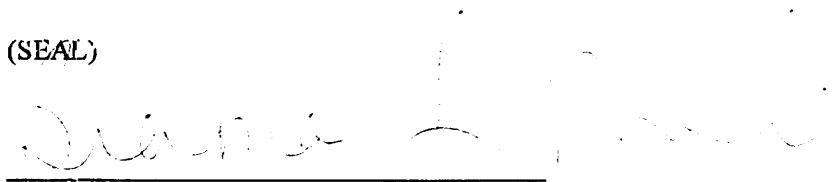
**CORPORATE ACKNOWLEDGMENT**

Form 152

STATE OF NEW JERSEY  
COUNTY OF BERGEN

On this 5<sup>th</sup> day of May, 2022 before me personally came John F. Surano to me known, who, being by me duly sworn, did depose and say that she/he resides in Basking Ridge, New Jersey that she/he is the ATTORNEY IN FACT of the LIBERTY MUTUAL INSURANCE COMPANY, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, FIDELITY AND DEPOSIT COMPANY OF MARYLAND, ZURICH AMERICAN INSURANCE COMPANY, FEDERAL INSURANCE COMPANY, THE CONTINENTAL INSURANCE COMPANY, BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, the corporation described in and which executed the above instrument that she/he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/his name thereto by like order.

(SEAL)



**BIANCA L. MELI**  
**NOTARY PUBLIC, STATE OF NEW JERSEY**  
**MY COMMISSION EXPIRES**  
**SEPTEMBER 30, 2024**



LIBERTY MUTUAL INSURANCE COMPANY  
FINANCIAL STATEMENT — DECEMBER 31, 2020

<b>Assets</b>	<b>Liabilities</b>
Cash and Bank Deposits.....	Unearned Premiums.....
\$2,058,007,542	\$8,448,706,991
*Bonds — U.S Government.....	Reserve for Claims and Claims Expense .....
2,209,760,437	23,879,216,613
*Other Bonds.....	Funds Held Under Reinsurance Treaties.....
15,902,755,586	343,068,613
*Stocks .....	Reserve for Dividends to Policyholders.....
18,517,107,230	1,192,716
Real Estate.....	Additional Statutory Reserve .....
193,169,809	77,397,000
Agents' Balances or Uncollected Premiums.....	Reserve for Commissions, Taxes and
6,970,170,469	Other Liabilities .....
Accrued Interest and Rents.....	6,279,510,804
118,399,147	<b>Total .....</b>
Other Admitted Assets.....	<b>\$39,029,092,737</b>
12,079,597,645	Special Surplus Funds.....
	\$178,155,102
	Capital Stock.....
	10,000,075
	Paid in Surplus.....
	10,945,045,214
	Unassigned Surplus.....
	7,886,674,737
<b>Total Admitted Assets .....</b>	<b>Surplus to Policyholders .....</b>
<b><u>\$58,048,967,865</u></b>	<b>19,019,875,128</b>
	<b>Total Liabilities and Surplus.....</b>
	<b><u>\$58,048,967,865</u></b>



\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.  
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2020, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 25<sup>th</sup> day of March, 2021.

*TAMIKOLAJEWSKI*

\_\_\_\_\_  
Assistant Secretary



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8206136-974450

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Charo J. Rosemond, Elliott W. Wolffe, James Baldassare, Jr., John F. Surano, Krista A. Burke, Lisa M. Scavetta, Maria L. Spadaccini, Nicholas F. Walsh, Sherryanne M. DePirro

all of the city of Saddle Brook state of NJ each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 12th day of August, 2021.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: [Signature of David M. Carey]

David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 12th day of August, 2021 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: [Signature of Teresa Pastella]
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of May, 2022



By: [Signature of Renee C. Llewellyn]

Renee C. Llewellyn, Assistant Secretary

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

# LIBERTY MUTUAL INSURANCE COMPANY

Is hereby authorized to transact  
insurance in the State of Florida.

This certificate signifies that the company  
has satisfied all requirements of the  
Florida Insurance Code for the issuance  
of a license and remains subject to  
all applicable laws of Florida.

Date of Issuance: October 11, 1918  
No. 91-04-1543470



**Florida  
Department  
of Insurance**

A handwritten signature in cursive script that reads "Tom Gallagher".

Tom Gallagher  
Treasurer and Insurance Commissioner



TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2020

CAPITAL STOCK \$ 6,480,000

ASSETS		LIABILITIES & SURPLUS	
CASH AND INVESTED CASH	\$ 239,403,348	UNEARNED PREMIUMS	\$ 1,121,070,380
BONDS	3,831,158,861	LOSSES	1,003,200,666
STOCKS	109,074,035	LOSS ADJUSTMENT EXPENSES	163,348,678
INVESTMENT INCOME DUE AND ACCRUED	38,858,709	COMMISSIONS	48,805,693
OTHER INVESTED ASSETS	4,970,512	TAXES, LICENSES AND FEES	13,581,421
PREMIUM BALANCES	277,653,788	OTHER EXPENSES	42,508,558
NET DEFERRED TAX ASSET	55,188,715	CURRENT FEDERAL AND FOREIGN INCOME TAXES	4,885,484
REINSURANCE RECOVERABLE	32,553,518	REMITTANCES AND ITEMS NOT ALLOCATED	8,646,391
RECEIVABLES FROM PARENT, SUBSIDIARIES AND AFFILIATES	34,876,347	AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	42,228,250
OTHER ASSETS	4,155,784	POLICYHOLDER DIVIDENDS	12,353,304
		PROVISION FOR REINSURANCE	7,930,280
		ADVANCE PREMIUM	1,887,512
		CEDED REINSURANCE NET PREMIUMS PAYABLE	63,102,972
		RETROACTIVE REINSURANCE RESERVE ASSUMED	800,763
		OTHER ACCRUED EXPENSES AND LIABILITIES	568,666
		<b>TOTAL LIABILITIES</b>	<b>\$2,534,855,020</b>
		CAPITAL STOCK	\$6,480,000
		PAID IN SURPLUS	433,803,760
		OTHER SURPLUS	1,650,750,847
		<b>TOTAL SURPLUS TO POLICYHOLDERS</b>	<b>\$2,081,034,607</b>
<b>TOTAL ASSETS</b>	<b>\$ 4,625,889,627</b>	<b>TOTAL LIABILITIES &amp; SURPLUS</b>	<b>\$4,625,889,627</b>

STATE OF CONNECTICUT )  
 COUNTY OF HARTFORD ) SS.  
 CITY OF HARTFORD )

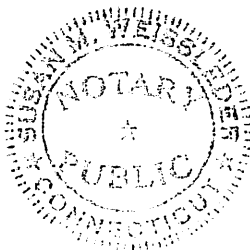
MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS VICE PRESIDENT - FINANCE, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31ST DAY OF DECEMBER, 2020.

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
 28TH DAY OF MARCH, 2021

*Michael J. Doody*  
 VICE PRESIDENT - FINANCE

*Susan M. Weissleder*  
 NOTARY PUBLIC

SUSAN M. WEISSLEDER  
 Notary Public  
 My Commission Expires November 30, 2022





**Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company**

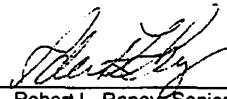
**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **John F Surano** of **SADDLE BROOK**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory 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**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.

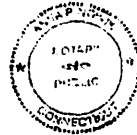


State of Connecticut  
City of Hartford ss.

By:   
Robert L. Raney, Senior Vice President

On this the 21st day of April, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.  
My Commission expires the 30th day of June, 2026



  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each 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 remains in full force and effect.

Dated this 5th day of May, 2022.



  
Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.  
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**

# **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**

**Is hereby authorized to transact  
insurance in the State of Florida.**

**This certificate signifies that the company  
has satisfied all requirements of the  
Florida Insurance Code for the issuance  
of a license and remains subject to  
all applicable laws of Florida.**

**Date of Issuance: October 23, 1985  
No. 97-06-0907370**



**Florida  
Department  
of Insurance**

A handwritten signature in black ink that reads "Bill Nelson".

**Bill Nelson  
Treasurer and Insurance Commissioner**

# THE FIDELITY AND DEPOSIT COMPANY

OF MARYLAND  
1299 Zurich Way Schaumburg, IL 60196

## Statement of Financial Condition As Of December 31, 2020

### ASSETS

Bonds.....	\$ 262,624,334
Stocks .....	19,715,392
Cash and Short-Term Investments .....	3,219,781
Reinsurance Recoverable .....	17,293,466
Federal Income Tax Recoverable.....	114,253
Other Accounts Receivable.....	29,083,530
<b>TOTAL ADMITTED ASSETS.....</b>	<b>\$ 332,050,756</b>

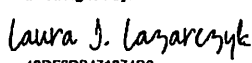
### LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses .....	\$ 539,588
Ceded Reinsurance Premiums Payable .....	43,847,005
Remittances and Items Unallocated .....	0
Payable to parents, subs and affiliates .....	0
Securities Lending Collateral Liability.....	0
<b>TOTAL LIABILITIES .....</b>	<b>\$ 44,413,593</b>
Capital Stock, Paid Up .....	\$ 5,000,000
Surplus.....	282,637,163
Surplus as regards Policyholders.....	287,637,163
<b>TOTAL .....</b>	<b>\$ 332,050,756</b>

Securities carried at \$165,065,329 in the above statement are deposited with various states as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2020 would be \$346,439,970 and surplus as regards policyholders \$302,026,377.

I, LAURA J. LAZARCZYK, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2020.

DocuSigned by:  
  
 42DF6DB47137480...  
 Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15<sup>th</sup> day of March, 2021.



\_\_\_\_\_  
 Notary Public

**ZURICH AMERICAN INSURANCE COMPANY  
COMPARATIVE BALANCE SHEET  
4 WORLD TRADE CENTER, 150 GREENWICH STREET, NEW YORK, NY 10007  
As of December 31, 2020 and December 31, 2019**

	12/31/2020	12/31/2019
<b><u>Assets</u></b>		
Bonds	\$ 15,696,060,158	\$ 16,780,375,969
Preferred Stock	-	-
Common Stock	2,964,630,407	3,121,559,258
Real Estate	1,294,160,876	1,273,640,596
Other Invested Assets	1,435,120,966	1,185,313,467
Derivatives	178,175	21,358
Short-term Investments	285,002	14,532,665
Receivable for securities	809,339	114,199,089
Cash and cash equivalents	526,475,686	42,548,382
Securities lending reinvested collateral assets	105,614,095	55,769,285
Employee Trust for Deferred Compensation Plan	122,225,149	129,612,266
<b>Total Cash and Invested Assets</b>	<b>\$ 22,145,559,853</b>	<b>\$ 22,717,572,333</b>
Premiums Receivable	\$ 5,318,928,254	\$ 4,775,851,073
Funds Held with Reinsurers	99,875	97,862
Reinsurance Recoverable	1,248,855,148	1,497,744,413
Accrued Investment Income	118,531,136	127,170,427
Federal Income Tax Recoverable	507,200,404	565,755,651
Due from Affiliates	92,277,523	204,233,875
Other Assets	559,476,243	527,556,278
<b>Total Assets</b>	<b>\$ 29,990,928,434</b>	<b>\$ 30,415,981,911</b>
<b><u>Liabilities and Policyholders' Surplus</u></b>		
<b>Liabilities:</b>		
Loss and LAE Reserves	\$ 12,295,705,961	\$ 12,626,869,059
Unearned Premium Reserve	3,952,940,831	3,845,794,904
Funds Held with Reinsurers	554,226,440	385,953,985
Loss In Course of Payment	1,351,312,377	1,442,194,686
Commission Reserve	119,930,116	124,215,143
Federal Income Tax Payable	34,772,832	-
Remittances and Items Unallocated	432,727,110	147,106,142
Payable to parent, subs and affiliates	273,601,687	294,896,500
Provision for Reinsurance	175,327,995	110,765,261
Ceded Reinsurance Premiums Payable	1,591,358,027	1,821,418,177
Securities Lending Collateral Liability	105,614,095	55,769,285
Other Liabilities	1,922,304,215	1,887,566,082
<b>Total Liabilities</b>	<b>\$ 22,809,821,689</b>	<b>\$ 22,742,549,225</b>
<b>Policyholders' Surplus:</b>		
Common Capital Stock	\$ 5,000,000	\$ 5,000,000
Paid-in and Contributed Surplus	4,394,131,321	4,394,131,321
Surplus Notes	-	-
Special Surplus Funds	9,672,000	2,910,000
Cumulative Unrealized Gain	192,450,057	118,847,749
Unassigned Surplus	2,579,853,368	3,152,543,616
<b>Total Policyholders' Surplus</b>	<b>\$ 7,181,106,746</b>	<b>\$ 7,673,432,686</b>
<b>Total Liabilities and Policyholders' Surplus</b>	<b>\$ 29,990,928,434</b>	<b>\$ 30,415,981,911</b>

I, LAURA J. LAZARCZYK, Corporate Secretary of ZURICH AMERICAN INSURANCE COMPANY do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31st day of December, 2020, according to the best of my information, knowledge and belief.

DocuSigned by:  
*Laura J. Lazarczyk*  
Corporate Secretary

State of Illinois }  
County of Cook } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2021.



\_\_\_\_\_  
Notary public

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Krista A. BURKE, Charo J. ROSEMOND, Maria L. SPADACCINI, Sherryanne M. DEPIRRO, Nicholas F. WALSH, Lisa M. SCAVETTA, Elliott W. WOLFFE, James BALDASSARE, JR. And John F. SURANO**, of Saddle Brook, New Jersey, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons. The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 28th day of July A.D. 2020.



ATTEST:  
ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: *Robert D. Murray*  
Vice President

By: *Dawn E. Brown*  
Secretary

**State of Maryland  
County of Baltimore**

On this 28th day of July, 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023

## EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

### CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 5th day of May, 2022.



A handwritten signature in cursive script that reads "Brian M. Hodges".

\_\_\_\_\_  
Brian M. Hodges, Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
[www.reportsfelaims@zurichna.com](mailto:www.reportsfelaims@zurichna.com)  
800-626-4577



**Florida  
Department  
of Insurance**

## **FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

**Is hereby authorized to transact  
insurance in the State of Florida.**

**This certificate signifies that the company  
has satisfied all requirements of the  
Florida Insurance Code for the issuance  
of a license and remains subject to  
all applicable laws of Florida.**

**Date of Issuance: September 1, 1991  
No. 91-13-3046577**

A handwritten signature in cursive script that reads "Tom Gallagher".

---

**Tom Gallagher  
Treasurer and Insurance Commissioner**



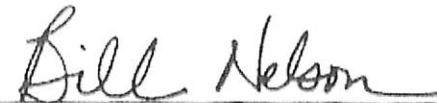
# ZURICH AMERICAN INSURANCE COMPANY

is hereby authorized to transact  
insurance in the state of Florida.

This certificate signifies that the company  
has satisfied all requirements of the  
Florida Insurance Code for the issuance  
of a license and remains subject to  
all applicable laws of Florida.

Date of Issuance: August 01, 1924

No. 99-36-4233459



Bill Nelson  
Treasurer and Insurance Commissioner



Florida  
Department  
of Insurance

**FEDERAL INSURANCE COMPANY**  
**STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS**

Statutory Basis  
**December 31, 2020**  
 (in thousands)

<i>ASSETS</i>		<i>LIABILITIES AND SURPLUS TO POLICYHOLDERS</i>	
Cash and Short Term Investments	\$ (247,647)	Outstanding Losses and Loss Expenses	\$ 7,823,012
United States Government, State and Municipal Bonds	4,277,332	Reinsurance Payable on Losses and Expenses	1,421,176
Other Bonds	5,455,272	Unearned Premiums	2,145,775
Stocks	567,832	Ceded Reinsurance Premiums Payable	261,276
Other Invested Assets	<u>1,207,053</u>	Other Liabilities	<u>551,641</u>
<b>TOTAL INVESTMENTS</b>	<b><u>11,259,842</u></b>	<b>TOTAL LIABILITIES</b>	<b><u>12,202,880</u></b>
Investments in Affiliates:		Capital Stock	20,980
Great Northern Ins. Co.	404,889	Paid-In Surplus	2,711,474
Vigilant Ins. Co.	349,615	Unassigned Funds	<u>1,591,718</u>
Chubb Indemnity Ins. Co.	182,191	<b>SURPLUS TO POLICYHOLDERS</b>	<b><u>4,324,172</u></b>
Chubb National Ins. Co.	186,189		
Other Affiliates	98,826		
Premiums Receivable	1,634,609		
Other Assets	<u>2,410,891</u>		
<b>TOTAL ADMITTED ASSETS</b>	<b><u>\$ 16,527,052</u></b>	<b>TOTAL LIABILITIES AND SURPLUS</b>	<b><u>\$ 16,527,052</u></b>

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners. At December 31, 2020, investments with a carrying value of 507,794,700 were deposited with government authorities as required by law.

**"Electronic signatures only and no notary due to COVID-19 related stay at home restrictions"**

STATE OF PENNSYLVANIA

COUNTY OF PHILADELPHIA

John Taylor, being duly sworn, says that he is Senior Vice President of Federal Insurance Company and that to the best of his knowledge and belief the foregoing is a true and correct statement of the said Company's financial condition as of the 31 st day of December, 2020.

Subscribed before me this \_\_\_\_\_

*John P Taylor*

3FB94D77-3E38-4000-9000-000000000000  
 Senior Vice President

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 My commission expires

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT: Telephone (908) 903-3193 Fax (908) 903-3656 E-mail: surety@chubb.com

*Down M. Quaker*  
Down M. Quaker, Assistant Secretary



Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 5th day of May 2022

(i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect.  
(ii) the foregoing Power of Attorney is true, correct and in full force and effect.  
I, Dawn M. Chioro, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that  
FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.  
Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the seal of the Company, any Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.  
Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company, any Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.  
Each daily appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.  
Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.  
Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.  
RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, convicts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment").  
WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006, and ACE AMERICAN INSURANCE COMPANY on March 20, 2009;  
WESTCHESTER FIRE INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY and WESTCHESTER FIRE INSURANCE COMPANY on August 30, 2016;

**CERTIFICATION**

*[Signature]*  
Notary Public

KATHERINE J. ADLARI  
NOTARY PUBLIC OF NEW JERSEY  
NO. 2316685  
Commission Expires July 16, 2024



On this 29th day of July, 2020 before me, a Notary Public of New Jersey, personally came Dawn M. Chioro and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chioro and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

County of Hunterdon  
STATE OF NEW JERSEY



*[Signature]*  
Stephen M. Haney, Vice President



*Down M. Quaker*  
Down M. Quaker, Assistant Secretary

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 29th day of July, 2020.  
each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety hereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same; and consents to the modification or alteration of any instrument referred to in said bonds or obligations.  
Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint James Baldassarre Jr., Krista A. Burke, Sherrianne M. DePirro, Charo J. Rosemond, Lisa M. Scavetta, Maria L. Spadaccini, John F. Surano, Nicholas F. Walsh and Elliott W. Wolfe of Saddle Brook, New Jersey -----

Power of Attorney  
Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company  
Westchester Fire Insurance Company | ACE American Insurance Company

CHUBB



**Florida  
Department  
of Insurance**

## **FEDERAL INSURANCE COMPANY**

**Is hereby authorized to transact  
insurance in the State of Florida.**

**This certificate signifies that the company  
has satisfied all requirements of the  
Florida Insurance Code for the issuance  
of a license and remains subject to  
all applicable laws of Florida.**

**Date of Issuance: May 1, 1920  
No. 91-13-1963496**

A handwritten signature in cursive script, appearing to read "Tom Gallagher", written over a horizontal line.

**Tom Gallagher  
Treasurer and Insurance Commissioner**

**THE CONTINENTAL INSURANCE COMPANY**  
**Radnor, Pennsylvania**  
**Statement of Net Admitted Assets and Liabilities**  
**December 31, 2020**

ASSETS

Bonds	\$	1,486,639,077
Stocks		162,236,319
Cash and short-term investments		98,903,921
Receivables for securities		180,000
Investment income due and accrued		15,233,564
Amounts recoverable from reinsurers		53,225,848
Funds held by or deposited with reinsured companies		1,599,351
Current federal and foreign income tax recoverable and interest thereon		-
Net deferred tax asset		52,540,270
Premiums and considerations		42,752,978
Other assets		6,646,732
Total Assets	\$	<u>1,919,958,060</u>

LIABILITIES AND SURPLUS

Losses	\$	531,250,741
Loss adjustment expense		35,327,198
Unearned premiums		-
Other expenses		-
Federal and foreign income taxes payable		2
Ceded reinsurance premiums payable (net of ceding commissions)		40,875,605
Funds held by company under reinsurance treaties		2,701,045
Provision for reinsurance		30,000,000
Other liabilities		(487,038,433)
Total Liabilities	\$	<u>153,116,158</u>

Surplus Account:

Capital paid up	\$	53,566,360
Gross paid in and contributed surplus		1,423,436,994
Special Surplus		265,943,410
Unassigned funds		23,895,138
Surplus as regards policyholders	\$	<u>1,766,841,902</u>
Total Liabilities and Capital	\$	<u>1,919,958,060</u>

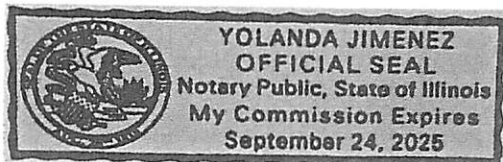
I, Julie Lee, Assistant Vice President of Continental Insurance Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2020, as filed with the various Insurance Departments and is a true and correct statement of the condition of Continental Insurance Company as of that date.



THE CONTINENTAL INSURANCE COMPANY

By Julie Lee  
Assistant Vice President, External Reporting

Subscribed and sworn to me this 9 day of April 2021  
My commission expires:



By Yolanda Jimenez  
Notary Public

**POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT**

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Elliott Wolffe, Maria L Spadaccini, James Baldassare Jr, Krista A Burke, Sherryanne M DePirro, Lisa M Scavetta, Nicholas F Walsh, Charo J Rosemond, John F Surano, Individually**

of Saddle Brook, NJ, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 27th day of June, 2021.



The Continental Insurance Company

*Paul T. Bruflat*

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 27th day of June, 2021, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires March 2, 2026

*M. Bent*

M. Bent Notary Public

**CERTIFICATE**

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this 5th day of May . 2022



The Continental Insurance Company

*D. Johnson*

D. Johnson Assistant Secretary

Form F6850-4/2012

## Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

“RESOLVED: That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective.

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25<sup>th</sup> day of April, 2012.

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”). Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”



**Florida  
Department  
of Insurance**

## **CONTINENTAL INSURANCE COMPANY**

**Is hereby authorized to transact  
insurance in the State of Florida.**

**This certificate signifies that the company  
has satisfied all requirements of the  
Florida Insurance Code for the issuance  
of a license and remains subject to  
all applicable laws of Florida.**

**Date of Issuance: September 15, 1915  
No. 91-13-5010440**

A handwritten signature in cursive script that reads "Tom Gallagher".

**Tom Gallagher  
Treasurer and Insurance Commissioner**



# BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY

1314 Douglas Street, Suite 1400, Omaha, Nebraska 68102-1944

## ADMITTED ASSETS\*

	<u>12/31/2020</u>	<u>12/31/2019</u>	<u>12/31/2018</u>
Total invested assets	\$ 5,475,240,588	\$ 5,172,183,338	\$ 4,313,185,189
Premium & agent balances (n	603,615,506	368,086,012	301,849,144
All other assets	157,897,676	127,524,677	140,930,406
<b>Admitted Assets</b>	<u><u>\$ 6,236,753,770</u></u>	<u><u>\$ 5,667,794,027</u></u>	<u><u>\$ 4,755,964,739</u></u>

## LIABILITIES & SURPLUS\*

	<u>12/31/2020</u>	<u>12/31/2019</u>	<u>12/31/2018</u>
Loss & loss exp. unpaid	\$ 921,923,948	\$ 634,745,558	\$ 463,103,223
Unearned premiums	372,836,160	314,117,549	241,835,588
All other liabilities	1,054,922,210	744,738,458	570,628,148
<b>Total Liabilities</b>	<u>2,349,682,318</u>	<u>1,693,601,565</u>	<u>1,275,566,959</u>
<b>Total Policyholders' Surplus</b>	<u>3,887,071,452</u>	<u>3,974,192,463</u>	<u>3,480,397,780</u>
<b>Total Liabilities &amp; Surplus</b>	<u><u>\$ 6,236,753,770</u></u>	<u><u>\$ 5,667,794,028</u></u>	<u><u>\$ 4,755,964,739</u></u>

\* Assets, liabilities and surplus are presented on a Statutory Accounting Basis as promulgated by the NAIC and/or the laws of the company's domiciliary state.



Power Of Attorney

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY

Know all men by these presents, that BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at One Lincoln Street, 23rd Floor, Boston, Massachusetts 02111, NATIONAL INDEMNITY COMPANY, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at 3024 Harney Street, Omaha, Nebraska 68131 and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, a corporation existing under and by virtue of the laws of the State of Connecticut and having an office at 100 First Stamford Place, Stamford, Connecticut 06902 (hereinafter collectively the "Companies"), pursuant to and by the authority granted as set forth herein, do hereby name, constitute and appoint: John F. Surano, Lisa M. Scavetta, Sherryanne M. DePirro, Maria L. Spadaccini, Nicholas F. Walsh, Elliott W. Wolfe, Andrew Waterbury, James Baldassare, Jr., Krista A. Burke, Charo J. Rosemond, 250 Pehle Avenue, Suite 311 of the city of Saddle Brook, State of New Jersey, their true and lawful attorney(s)-in-fact to make, execute, seal, acknowledge, and deliver, for and on their behalf as surety and as their act and deed, any and all undertakings, bonds, or other such writings obligatory in the nature thereof, in pursuance of these presents, the execution of which shall be as binding upon the Companies as if it has been duly signed and executed by their regularly elected officers in their own proper persons. This authority for the Attorney-in-Fact shall be limited to the execution of the attached bond(s) or other such writings obligatory in the nature thereof.

In witness whereof, this Power of Attorney has been subscribed by an authorized officer of the Companies, and the corporate seals of the Companies have been affixed hereto this date of December 20, 2018. This Power of Attorney is made and executed pursuant to and by authority of the Bylaws, Resolutions of the Board of Directors, and other Authorizations of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, which are in full force and effect, each reading as appears on the back page of this Power of Attorney, respectively. The following signature by an authorized officer of the Company may be a facsimile, which shall be deemed the equivalent of and constitute the written signature of such officer of the Company for all purposes regarding this Power of Attorney, including satisfaction of any signature requirements on any and all undertakings, bonds, or other such writings obligatory in the nature thereof, to which this Power of Attorney applies.

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY,

[Signature of David Fields]

By:

David Fields, Executive Vice President



NATIONAL INDEMNITY COMPANY, NATIONAL LIABILITY & FIRE INSURANCE COMPANY,

[Signature of David Fields]

By:

David Fields, Vice President

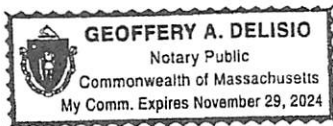


NOTARY

State of Massachusetts, County of Suffolk, ss:

On this 20th day of December, 2018, before me appeared David Fields, Executive Vice President of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY and Vice President of NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, who being duly sworn, says that his capacity is as designated above for such Companies; that he knows the corporate seals of the Companies; that the seals affixed to the foregoing instrument are such corporate seals; that they were affixed by order of the board of directors or other governing body of said Companies pursuant to its Bylaws, Resolutions and other Authorizations, and that he signed said instrument in that capacity of said Companies.

[Notary Seal]



[Signature of Geoffrey A. Delisio]

Notary Public

I, Ralph Tortorella, the undersigned, Officer of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, 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 in full force and effect and has not been revoked. IN TESTIMONY WHEREOF, see hereunto affixed the seals of said Companies this May 5, 2022.



[Signature of Ralph Tortorella]

Officer

To verify the authenticity of this Power of Attorney please contact us at: BHSI Surety Department, Berkshire Hathaway Specialty Insurance Company, One Lincoln Street, 23rd Floor Boston, MA 02111 | (770) 625-2516 or by email at Jennifer.Porter@bhspecialty.com THIS POWER OF ATTORNEY IS VOID IF ALTERED To notify us of a claim please contact us on our 24-hour toll free number at (855) 453-9675, via email at claimsnotice@bhspecialty.com, via fax to (617) 507-8259, or via mail.

**BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY (BYLAWS)**

ARTICLE V.

CORPORATE ACTIONS

....

EXECUTION OF DOCUMENTS:

....

Section 6.(b) The President, any Vice President or the Secretary, shall have the power and authority:

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company bonds and other undertakings, and
- (2) To remove at any time any such Attorney-in-fact and revoke the authority given him.

**NATIONAL INDEMNITY COMPANY (BY-LAWS)**

Section 4. Officers, Agents, and Employees:

A. The officers shall be a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer, and one or more Assistant Treasurers none of whom shall be required to be shareholders or Directors and each of whom shall be elected annually by the Board of Directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the Board of Directors, and shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the Board of Directors; and the Board of Directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the corporation.

**NATIONAL INDEMNITY COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)**

RESOLVED, That the President, any Vice President or the Secretary, shall have the power and authority to (1) appoint Attorneys-in-fact, and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

**NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BY-LAWS)**

ARTICLE IV

Officers

Section 1. Officers, Agents and Employees:

A. The officers shall be a president, one or more vice presidents, one or more assistant vice presidents, a secretary, one or more assistant secretaries, a treasurer, and one or more assistant treasurers, none of whom shall be required to be shareholders or directors, and each of whom shall be elected annually by the board of directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the board of directors. The president and secretary shall be different individuals. Election or appointment of an officer or agent shall not create contract rights. The officers of the Corporation shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the board of directors; and the board of directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the Corporation.

**NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)**

RESOLVED, That the President, any Vice President or the Secretary, shall have the power and authority to (1) appoint Attorneys-in-fact, and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

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# FLORIDA OFFICE OF INSURANCE REGULATION

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## BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY

Is hereby authorized to transact insurance in the State of Florida.

This certificate signifies that the company has satisfied all requirements of the Florida Insurance Code for the issuance of a PROPERTY AND CASUALTY INSURER CERTIFICATE OF AUTHORITY and remains subject to the laws of Florida.

Original Issuance: 02/12/1954

Replacement Issuance: Thursday, June 12, 2014

No. 14 - 630202590



Kevin M. McCarty  
Commissioner  
Office of Insurance Regulation



Orlando International Airport  
One Jeff Fuqua Boulevard  
Orlando, Florida, 32827-4392  
(407) 825-2001

# Memorandum

**To:** Members of the Construction Committee

**From:** Davin Ruohomaki, Senior Director of Engineering & Construction  
*(As prepared by Ross Spence, OAR)*

**Date:** May 3, 2022

**Re:** Request for Recommendation of Approval of an Amendment to Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Turner-Kiewit Joint Venture for BP-S173, South Terminal C, Phase 1 – Landside Terminal, MEP Systems - FDOT (GMP No. 7-S.3), at the Orlando International Airport

The attached Guaranteed Maximum Price (GMP) Amendment proposal from Turner-Kiewit Joint Venture for the Landside Terminal (LST) MEP systems includes reduction of TSA contingency and additional CBP contingency for funding of contingency requests.

Upon approval, this amendment will revise the original GMP value as indicated in the table below.

GMP Total P1, P1X, CBP & TSA	Original GMP Budget*	Current GMP Budget**	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	\$55,680,412	\$127,566,102	\$0	\$127,566,102
Unbought Scope	\$45,420,000	\$0	\$0	\$0
CM@R Contingency	\$4,044,016	\$394,988	\$0	\$394,988
Owner Contingency	\$2,527,510	\$1,273,437	(\$84,776)	\$1,188,661
P&P Bond	\$750,239	\$903,734	(\$655)	\$903,079
Fee (4.211%)	\$4,565,658	\$5,480,122	(\$3,597)	\$5,476,525
<b>TOTAL</b>	<b>\$112,987,835</b>	<b>\$135,618,383</b>	<b>(\$89,028)</b>	<b>\$135,529,355</b>

\*Approved at CCM 10/16/2018 Item 12J

\*\*Current GMP Budget as of CCM 04/12/2022

GMP - P1	Original GMP Budget*	Current GMP Budget**	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	\$55,680,412	\$115,141,254	\$0	\$115,141,254
Unbought Scope	\$45,420,000	\$0	\$0	\$0
CM@R Contingency	\$4,044,016	\$319,165	\$0	\$319,165
Owner Contingency	\$2,527,510	\$730,102	\$0	\$730,102
P&P Bond	\$750,239	\$812,353	\$0	\$812,353
Fee (4.211%)	\$4,565,658	\$4,926,992	\$0	\$4,926,992
<b>TOTAL</b>	<b>\$112,987,835</b>	<b>\$121,929,866</b>	<b>\$0</b>	<b>\$121,929,866</b>

GMP - P1X	Original GMP Budget*	Current GMP Budget**	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	\$0	\$11,979,431	\$0	\$11,979,431
Unbought Scope	\$0	\$0	\$0	\$0
CM@R Contingency	\$0	\$75,823	\$0	\$75,823
Owner Contingency	\$0	\$215,713	\$0	\$215,713
P&P Bond	\$0	\$86,130	\$0	\$86,130
Fee (4.211%)	\$0	\$520,357	\$0	\$520,357
<b>TOTAL</b>	<b>\$0</b>	<b>\$12,877,454</b>	<b>\$0</b>	<b>\$12,877,454</b>

GMP - CBP	Original GMP Budget*	Current GMP Budget**	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	\$0	\$400,572	\$0	\$400,572
Unbought Scope	\$0	\$0	\$0	\$0
CM@R Contingency	\$0	\$0	\$0	\$0
Owner Contingency	\$0	\$70,991	\$95,224	\$166,215
P&P Bond	\$0	\$3,282	\$735	\$4,017
Fee (4.211%)	\$0	\$19,995	\$4,041	\$24,036
<b>TOTAL</b>	<b>\$0</b>	<b>\$494,840</b>	<b>\$100,000</b>	<b>\$594,840</b>


GMP - TSA	Original GMP Budget*	Current GMP Budget**	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	\$0	\$44,845	\$0	\$44,845
Unbought Scope	\$0	\$0	\$0	\$0
CM@R Contingency	\$0	\$0	\$0	\$0
Owner Contingency	\$0	\$256,631	(\$180,000)	\$76,631
P&P Bond	\$0	\$1,969	(\$1,390)	\$579
Fee (4.211%)	\$0	\$12,778	(\$7,638)	\$5,140
<b>TOTAL</b>	<b>\$0</b>	<b>\$316,223</b>	<b>(\$189,028)</b>	<b>\$127,195</b>

Funding is from General Airport Revenue Bonds

Funding source verified by \_\_\_\_\_ of Construction Finance on \_\_\_/\_\_\_/\_\_\_ as correct and available.

**Not signed by CF due to CFOC memo not vetted at time of review**

It is respectfully requested that the Construction Committee recommend to the Authority Board approval of an Amendment to Addendum No. 20 to the Construction Management at Risk (CM@R) Agreement for the South Terminal C, Phase 1 Complex with Turner-Kiewit Joint Venture for BP-S173, Landside Terminal, MEP Systems – FDOT (GMP No. 7-S.3) at the Orlando International Airport, in the deductive amount of **(\$89,028)** for a revised GMP Total Amount of **\$135,529,355** as detailed above.

<b>Direct Cost of Work</b>	\$127,566,102
<b>Unbought Scope</b>	\$0
<b>CM@R Contingency</b>	\$394,988
<b>Owner Contingency</b>	\$1,188,661
<b>Payment and Performance Bond</b>	\$903,079
<b>Fee (4.211%)</b>	\$5,476,525
<b>TOTAL</b>	<b>\$135,529,355</b>
<b>ANSER</b>	
<b>LEGAL</b>	KMR



April 20, 2022

Torie Brooks  
GOAA  
11064 Canal Road  
Orlando, Florida 32824

GMP: 7S.3 (BP-S173)  
Subject: GMP 7S.3 Amendment 9

Ms. Brooks:

In accordance with our Agreement, attached please find this request for approval to amend GMP 7S.3 as defined in the attached GMP 7S.3 Amendment 9 SOV dated 4/20/2022 rev1. Details for funding of this amendment are as follows:

- 1. Increase CBP contingency
- 2. Reduce TSA Contingency

Please note the values indicated do not include TK fee and bond costs, these items are identified separately in the SOV.

**GMP 7S.3 (BP-S147) – Contingency**

CBP contingency	\$95,224.00
TSA Contingency	(\$189,023.00)

Should there be any questions or comments regarding the above items, please do not hesitate to contact the undersigned.

Sincerely,

Wende Morgan-Elliott  
Project Controls Manager

Attachments: GMP 7S.3 Amendment 8 SOV dated 4/20/2022 rev1







Schedule of Values

Report Date: 20 April 22 rev1

#	Calculation	Bid Package	DESCRIPTION	Total GMP 7S.3 Amendment 9	% of Amendment	CBP GMP 7S.3 Amendment 9	TSA GMP 7S.3 Amendment 9	Total GMP 7S.3 Amendment 9 12.21.21 rev1	Total GMP 7S.3 Amendment 7 12.21.21 rev1	Total GMP 7S.3 Amendment 6 08.19.21 rev1	Total GMP 7S.4 Amendment 5 07.20.21	Total GMP 7S.3 Amendment 4 02.11.21	GMP 7S.3 Amendment 3 08.11.20 rev 2	GMP 7S.3 Amendment 2 08.27.19 rev 4a	GMP 7S.3 Amendment 1 07.31.19 rev 2	GMP 7-S.3 09.19.19 rev 3a	Total GMP 7S.3 and Amendments	% of Total	
			<b>Subcontracted Direct Work</b>																
1		23.0.0	Plumbing & HVAC														\$45,520,000	\$45,520,000	33.6%
		23.0.1	Plumbing & HVAC														\$5,331,891	\$5,331,891	3.9%
2		23.0.0	GMP 7-S Early Release Coordination											\$3,365,640	\$1,966,251		(\$100,000)	(\$100,000)	-0.1%
3		26.0.0	Electrical														\$1,474,261	\$465,981	42.6%
4		26.0.0	GMP 7-S Early Release Coordination														(\$100,000)	(\$100,000)	-0.1%
			<b>Estimated Direct Work</b>																
5																			
6			<b>Alternate</b>																
7																			
8	=(1)+...+(7)		<b>Subtotal Subcontracted Direct Work</b>											\$4,839,901	\$2,432,232	\$101,100,412	\$108,372,545	80.0%	
			<b>TKJV CMAR Staff &amp; General Requirements</b>																
9			TKJV CMAR Staff and Benefits	with other GMPS		with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS			
10			TKJV General Requirements	with other GMPS		with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS	with other GMPS			
11	=(9)+(10)		<b>Subtotal TKJV CMAR Cost</b>																
			<b>Allowances</b>																
12																			
13	=(12)		<b>Subtotal Allowances</b>																
14	=(8)+(11)+(13)		<b>Subtotal Direct Cost of the Work</b>											\$4,839,901	\$2,432,232	\$101,100,412	\$108,372,545	80.0%	
			<b>Contingencies</b>																
15			CMAR Contingency									(\$780,723)		\$241,995	\$121,812	\$4,044,016	\$3,626,900	2.7%	
16			Owners Contingency					\$1,047,465				\$585,000	\$2,186,443	\$1,255,852	\$120,998	\$60,806	\$2,527,510	\$7,784,074	5.7%
17			CBP MEP	\$95,224	-107.0%	\$95,224			(\$50,000)				\$45,067	\$476,476			\$566,787		
18			TSA MEP	(\$180,000)	202.2%		(\$180,000)		(\$175,000)				\$476,476				\$121,476		
19			Additional Owners Contingency							\$1,464,179				\$5,182,236	\$2,031,554		\$8,677,969	6.4%	
20	=(15)+(19)		<b>CMAR and Owner's Contingency Total</b>	(\$84,778)	95.2%	\$95,224	(\$180,000)	\$1,047,465	(\$225,000)	\$1,464,179	\$585,000	\$1,450,807	\$2,208,804	\$5,545,229	\$2,213,972	\$6,571,526	\$20,777,206	15.3%	
21	=(14)+(20)		<b>Subtotal Direct Cost &amp; Contingencies</b>	(\$84,778)	95.2%	\$95,224	(\$180,000)	\$1,047,465	(\$225,000)	\$1,464,179	\$585,000	\$1,450,807	\$2,208,804	\$10,385,130	\$4,646,204	\$107,671,938	\$129,149,751	95.3%	
			<b>Insurance and Bonds</b>																
22	=0.7351%*(20)		Payment and Performance Bond	(\$655)	0.7%	\$735	(\$1,390)	\$8,086	(\$1,737)	\$11,303	\$4,516	\$11,200	\$15,391	\$72,362	\$32,374	\$750,239	\$903,079	0.7%	
23	=(22)		<b>Total Insurance and Bonds</b>	(\$655)	0.7%	\$735	(\$1,390)	\$8,086	(\$1,737)	\$11,303	\$4,516	\$11,200	\$15,391	\$72,362	\$32,374	\$750,239	\$903,079	0.7%	
24	=(21)+(23)		<b>Subtotal</b>	(\$85,431)	96.0%	\$95,959	(\$181,390)	\$1,055,551	(\$226,737)	\$1,475,482	\$589,516	\$1,462,007	\$2,224,195	\$10,457,492	\$4,678,578	\$108,422,177	\$130,052,830	96.0%	
25	=4.211%*(24)		CMAR Fee	(\$3,597)	4.0%	\$4,041	(\$7,638)	\$44,449	(\$9,548)	\$62,133	\$24,825	\$61,565	\$93,660	\$440,365	\$197,015	\$4,565,658	\$5,476,525	4.0%	
26	=(24)+(25)		<b>TOTAL PROPOSED GMP AMENDMENT</b>	(\$89,028)	100.0%	\$100,000	(\$189,028)	\$1,100,000	(\$236,285)	\$1,537,615	\$614,341	\$1,523,572	\$2,317,855	\$10,897,857	\$4,875,593	\$112,987,835	\$135,529,355	100.0%	



**MEMORANDUM**

To: Members of the Construction Committee

From: Edelis Molina, Sr. Small Business Administrator

Date: May 03, 2022

Re: Request for Recommendation of Approval of an Amendment to Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Turner-Kiewit Joint Venture for BP-S173, South Terminal C, Phase 1 – Landside Terminal, MEP Systems - FDOT (GMP No. 7-S.3), at the Orlando International Airport.

Due to the funding source of this GMP 7-S.3, Turner-Kiewit Joint Venture proposed a 10% DBE participation goal for Construction Services, in lieu of MWBE and LDB participation goals. As such, Turner-Kiewit Joint Venture's committed MWBE and LDB Construction Services goals are not affected by this Amendment.

The proposed Amendment No. 9 to Addendum No. 20 for BP-S173 (GMP No. 7-S.3) does not have any impact on the small business participation. Currently, Turner-Kiewit Joint Venture's estimated cumulative participation for BP-S173 (GMP No. 7-S.3) is 11% DBE for Construction Services.



GREATER ORLANDO AVIATION AUTHORITY

Orlando International Airport  
One Jeff Fuqua Boulevard  
Orlando, Florida 32827-4392

MEMORANDUM

TO: Members of the Aviation Authority

FROM: Davin D. Ruohomaki, Chairman, Construction Committee

DATE: May 18, 2022

ITEM DESCRIPTION

Recommendation of the Construction Committee to Approve Amendment No. 9 to Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Turner-Kiewit Joint Venture, for Project Bid Package (BP) No. S00173, Terminal C, Phase 1, Landside Terminal Mechanical/Electrical/Plumbing (MEP) Systems – Florida Department of Transportation (FDOT) (Guaranteed Maximum Price (GMP) No. 7-S.3) at the Orlando International Airport

BACKGROUND

The Terminal C, Phase 1, Program provides for a world-class domestic and international airport terminal building, consisting of a new airside terminal with up to 15 airline gates and a landside terminal with both secure and non-secure areas, and may include, but is not limited to, all associated improvements and infrastructure required or related thereto, such as site work, roadways, aprons, runways, taxiways, other airfield work, utilities, landscaping, lighting, walkways, pedestrian bridges, expansion of the parking garage, a new and/or expanded chiller plant, aircraft loading bridges, and all interior design, such as concessions planning, ticketing, and security improvements, and baggage handling systems.

On May 18, 2016, the Aviation Authority Board approved the award of a Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement to Turner-Kiewit Joint Venture.

On October 10, 2018, the Aviation Authority Board approved Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Turner-Kiewit Joint Venture for BP No. S00173, Terminal C, Phase 1, Landside Terminal MEP Systems – FDOT (GMP No. 7-S.3) at the Orlando International Airport, for a total negotiated GMP amount of \$112,987,835.

Since 2018, the Aviation Authority Board approved Amendment Nos. 1 through 8, resulting in a revised GMP amount of \$134,518,383, as follows:

Amendment No.	Board Date	Amount of GMP Amendment	Revised GMP Amount
1	August 28, 2019	\$ 4,875,593	\$117,863,428
2	September 18, 2019	\$10,897,857	\$128,761,285
3	September 16, 2020	\$ 2,317,855	\$131,079,140
4	March 17, 2021	\$ 1,523,572	\$132,602,712
5	August 18, 2021	\$ 614,341	\$133,217,053
6	September 15, 2021	\$ 1,537,615	\$134,754,668
7	January 19, 2022	(\$ 236,285)	\$134,518,383
8	March 16, 2022	\$ 1,100,000	\$135,618,383
	<b>Total</b>	<b>\$22,630,548</b>	

The scope of BP No. S00173 provides mechanical, electrical and plumbing systems for the Landside Terminal.

## ISSUES

This amendment reduces the Owner Contingency to provide funding for other elements of the Terminal C Program.

The Terminal C Program Team and Turner-Kiewit Joint Venture have reviewed the current financial status and progress of the work in BP No. S00173, and have determined that, in accordance with the contract documents, it is appropriate at this time decreases Owner Contingency, and Performance and Payment Bonds, including the associated CM@R fee amount, as shown below.

<b>GMP</b>	<b>Original GMP Budget (A)</b>	<b>Current GMP Budget (B)</b>	<b>Proposed GMP Amendment (C)</b>	<b>Proposed Revised GMP (D) = (B) + (C)</b>
Direct Cost of Work	\$ 55,680,412	\$127,566,102	\$ 0	\$127,566,102
Unbought Scope	\$ 45,420,000	\$ 0	\$ 0	\$ 0
CM@R Contingency	\$ 4,044,016	\$ 394,988	\$ 0	\$ 394,988
Owner Contingency	\$ 2,527,510	\$ 1,273,437	(\$ 84,776)	\$ 1,188,661
<b>SUBTOTAL:</b>	<b>\$107,671,938</b>	<b>\$129,234,527</b>	<b>(\$ 84,776)</b>	<b>\$129,149,751</b>
Perf. & Payment Bonds Fee (4.211%)	\$ 750,239	\$ 903,734	(\$ 655)	\$ 903,079
	\$ 4,565,658	\$ 5,480,122	(\$ 3,597)	\$ 5,476,525
<b>Total GMP Addendum Cost:</b>	<b>\$112,987,835</b>	<b>\$135,618,383</b>	<b>(\$ 89,028)</b>	<b>\$135,529,355</b>

Turner-Kiewit Joint Venture is committed to 10% Disadvantaged Business Enterprise (DBE) participation goal for Construction Services, in lieu of Minority and Women Business Enterprise (MWBE) and Local Developing Business (LDB) participation goals. The proposed GMP Amendment for BP No. S00173 does not have any impact on the small business participation. Currently, Turner-Kiewit Joint Venture's estimated cumulative participation for BP No. S00173 is 11% DBE for Construction Services.

On May 3, 2022, the Construction Committee recommended approval of Amendment No. 9 to Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Turner-Kiewit Joint Venture for BP No. S00173, Terminal C, Phase 1, Landside Terminal MEP Systems – FDOT (GMP No. 7-S.3) at the Orlando International Airport, as outlined in the memorandum.

## ALTERNATIVES

None.

## FISCAL IMPACT

There is no fiscal impact to the Terminal C Program budget.

## RECOMMENDED ACTION

It is respectfully requested that the Aviation Authority Board resolve to accept the recommendation of the Construction Committee and approve Amendment No. 9 to Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Turner-Kiewit Joint Venture for BP No. S00173, Terminal C, Phase 1, Landside Terminal MEP Systems – FDOT (GMP No. 7-S.3), for the total negotiated deductive GMP Amendment amount of (\$89,028), which includes the deductive amount of (\$84,776) from Owner Contingency, the deductive amount of (\$655) from Performance and Payment Bonds, and the deductive amount of (\$3,597) from the CM@R's fee (4.211%), resulting in a revised GMP amount of \$135,529,355, with funding from General Airport Revenue Bonds; and authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel.

CM@R Fee (4.211%), resulting in a revised GMP amount of \$70,774,197.00, with funding from General Airport Revenue Bonds. *[Subsequent to the Construction Committee meeting, the CFOC consensed the funding for this item, as outlined above.]*

**REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 19 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH TURNER-KIEWIT JOINT VENTURE FOR BP-S00147, SOUTH TERMINAL C, PHASE 1 – LANDSIDE TERMINAL, REMAINING STRUCTURE AND SYSTEMS (GMP NO. 7-S.1), AT THE ORLANDO INTERNATIONAL AIRPORT.**

5. *[Agenda Item No. 4.]* Mr. Corthell presented the memorandum, dated May 3, 2022. Discussion ensued.

Upon motion of Ms. Sharman, second by Mr. Pelletier, vote carried to recommend to the Aviation Authority Board approval of an Amendment to Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Turner-Kiewit Joint Venture for BP-S00147, South Terminal C, Phase 1 – Landside Terminal, Remaining Structure and Systems, for the total negotiated GMP Amendment amount of \$252,508.00, which includes \$240,448.00 for Owner Contingency, \$1,856.00 for Performance and Payment Bonds, and \$10,204.00 for the CM@R's fee (4.211%), resulting in a revised total GMP amount of \$185,310,012.00, with funding from General Airport Revenue Bonds. *[Subsequent to the Construction Committee meeting, the CFOC consensed the funding for this item, as outlined above.]*

**REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 24 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH TURNER-KIEWIT JOINT VENTURE FOR BP-S00148, SOUTH TERMINAL C, PHASE 1 – LANDSIDE TERMINAL FINISHES (GMP NO. 7-S.2), AT THE ORLANDO INTERNATIONAL AIRPORT.**

6. *[Agenda Item No. 5.]* Mr. Corthell presented the memorandum, dated May 3, 2022. Discussion ensued.

Upon motion of Mr. Pelletier, second by Ms. Sharman, vote carried to recommend to the Aviation Authority Board approval of an Amendment to Addendum No. 24 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Turner-Kiewit Joint Venture for BP-S00148, South Terminal C, Phase 1 – Landside Terminal Finishes, for the total negotiated GMP Amendment amount of \$436,520.00, which includes \$415,672.00 for Owner Contingency, \$3,209 for Performance and Payment Bonds, and \$17,639.00 for the CM@R's fee (4.211%), resulting in a revised total GMP amount of \$90,011,635.00, with funding from General Airport Revenue Bonds. *[Subsequent to the Construction Committee meeting, the CFOC consensed the funding for this item, as outlined above.]*

**REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 20 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH TURNER-KIEWIT JOINT VENTURE FOR BP-S00173, SOUTH TERMINAL C, PHASE 1 – LANDSIDE TERMINAL, MEP SYSTEMS - FDOT (GMP NO. 7-S.3), AT THE ORLANDO INTERNATIONAL AIRPORT.**

7. *[Agenda Item No. 6.]* Mr. Corthell presented the memorandum, dated May 3, 2022. Discussion ensued.

Upon motion of Ms. Sharman, second by Mr. Pelletier, vote carried to recommend to the Aviation Authority Board approval of an Amendment to Addendum No. 20 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Turner-Kiewit Joint Venture for BP-S00173, South Terminal C, Phase 1 – Landside Terminal, MEP Systems – FDOT, for the total negotiated deductive GMP Amendment amount of (\$89,028.00), which includes the deductive amount of (\$84,776.00) from Owner Contingency, the deductive amount of (\$655.00) from Performance and Payment Bonds, and the deductive amount of (\$3,597.00) from the CM@R's fee (4.211%), resulting in a revised GMP amount of \$135,529,355.00, with funding from General Airport Revenue Bonds. *[Subsequent to the Construction Committee meeting, the CFOC consensed the funding for this item, as outlined above.]*

**REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 21 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 (STC-P1) AGREEMENT WITH TURNER-KIEWIT JOINT VENTURE FOR BP-S00176, SOUTH TERMINAL C, PHASE 1 – SITE LOGISTICS RELOCATION (GMP NO. 18-S), AT THE ORLANDO INTERNATIONAL AIRPORT.**

8. *[Agenda Item No. 7.]* Mr. Corthell presented the memorandum, dated May 3, 2022. Discussion ensued.