



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 10/10/2024

**File ID:** TMP-4709

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**Department:** General Services

**Subject:**

**Type of Action:** Approval/Action

Resolution authorizing the Mayor to execute Change Order #9 and Final between the City of Huntsville and Turner Construction Company for the New City Hall.

Resolution No.

**Finance Information:**

**Account Number:** 4015-14-00000-522010-00000000

**City Cost Amount:** \$1,213,814.90

**Total Cost:** \$83,385,325.53

**Special Circumstances:**

**Grant Funded:** NONE

**Grant Title - CFDA or granting Agency:** N/A

**Resolution #:** N/A

**Location: (list below)**

**Address:** 305 Fountain Circle

**District:** District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☒ District 5 ☐

**Additional Comments:**

Change Order #9 & Final to include ASI 21 and RFI clean up; ASI 22-24, plus RFI cleanup. GCGR Extension, Miscellaneous RFIs; Freezing weather delay (January 15-19); generator delay; two additional days for miscellaneous added scope after Certificate of Occupancy; parking garage water mitigation; Level 2 Mezzanine Water mitigation; back charges for commissioning delays (add to Sain contract).



## **RESOLUTION NO. 2024-**

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, and the Mayor that the contract with Turner Construction Company for Construction Services for the New City Hall and Parking Deck, Huntsville, Alabama, approved and executed by the City of Huntsville, Alabama on the 16th day of December, 2021, be and the same is hereby amended as is reflected on Change Order No. 9 and Final attached hereto.

**BE IT FURTHER RESOLVED** that the total contract amount be hereby is amended from Eighty-Two Million One Hundred Seventy One Thousand Five Hundred Ten Dollars and 71/100s (\$82,171,510.71) on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to Eighty-Three Million Three Hundred Eighty Five Thousand Three Hundred Twenty Five Dollars and 53/100s (\$83,385,325.53), including this Change Order No. 9 and Final in the amount of One Million Two Hundred Thirteen Thousand Eight Hundred Fourteen Dollars and 80/100s (\$1,213,814.80), said Change Order is substantially in word and figures as attached hereto and identified as “Change Order No. 9 and Final to the contract between City of Huntsville and Turner Construction Company for the construction services at the New City Hall and Parking Deck” consisting of twenty-two (22) pages together with the signature of the City Council President and an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

**ADOPTED** this the 10th day of October, 2024.

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President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the 10th day of October, 2024.

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Mayor of the City of Huntsville,  
Alabama

# "EXHIBIT B"

CITY OF HUNTSVILLE, ALABAMA

## CONTRACT CHANGE ORDER

CHANGE ORDER NO. 09

DATE: 10/2/2024  
TO: Turner Construction Company  
(Contractor)

PROJECT: Huntsville City Hall

**TERMS:** You are hereby authorized, subject to the provisions of your contract for this project, to make the following changes thereto in accordance with the attached Change Order Request and supporting documents and to

**FURNISH** the necessary labor, materials and equipment for CMR 88 for ASI 21, CMR 91 for ASI 22 to 24, CMR 92 for GCR Extension, CMR 93 for ASI 25, CMR 94 for weather delay, CMR 95 for generator testing delays, CMR 96 for Day 2 Adds, CMR 97 for garage water mitigation, CMR 98 for Mezzanine water mitigation, and CMR 99 for Sain Commissioning delays.

TOTAL ADDITION OR DEDUCTION TO CONTRACT PRICE (NOTE: Numbers in parentheses are deductions).

For this Change \$ <u>1,213,814.80</u>	\$ <u>1,213,814.80</u>
ORIGINAL CONTRACT PRICE	\$ <u>76,811,166.00</u>
Net total previous Change Orders	\$ <u>5,360,344.69</u>
Previous revised Contract Price	\$ <u>82,171,510.71</u>
This Change Order No. <u>09</u> ADD (DEDUCT)	\$ <u>1,213,814.80</u>
Revised Contract Price this date	\$ <u>83,385,325.53</u>

Extension of time resulting from this Change Order 30 (Indicate no. of calendar days).

The amount of this Change Order will be the responsibility of City of Huntsville

This contract modification constitutes full and mutual accord and satisfaction for all time and all cost related to this change. By acceptance of this Contract Modification, the Contractor hereby agrees that the modification represents an equitable adjustment to the Contract, and further, agrees to waive all right to file any father claims or changes arising out of or as a result of this change, or the accumulation of executed Contract Modifications on this Contract.

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

### CONSENT OF SURETY

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  
(Company)

By [Signature]  
Michael Dugan, Attorney-in-Fact Signed: October 4, 2024

### RECOMMENDED

By \_\_\_\_\_  
(Design Engineer or Architect)

By \_\_\_\_\_  
(COH Facilities Project Manager)

By \_\_\_\_\_  
(Director of General Services)

### CONTRACTING PARTIES

Turner Construction Company  
(Contractor)

By \_\_\_\_\_  
(Authorized Representative)

### CITY OF HUNTSVILLE, ALABAMA

By \_\_\_\_\_  
(Its Mayor)

By \_\_\_\_\_  
(President of City Council)

Date \_\_\_\_\_

## CORPORATE ACKNOWLEDGMENT

Form 152

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally  
came \_\_\_\_\_ to me known, who, being by me  
duly sworn, did depose and say that she/he resides in \_\_\_\_\_  
that she/he is the \_\_\_\_\_ of the

\_\_\_\_\_  
\_\_\_\_\_ 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)

\_\_\_\_\_

## CORPORATE ACKNOWLEDGMENT

Form 152

STATE OF NEW JERSEY  
COUNTY OF BERGEN

On this 4TH day of OCTOBER, 2024 before me personally came  
Michael Dugan to me known, who, being by me duly sworn, did depose and say that she/he  
resides in Flanders, 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.

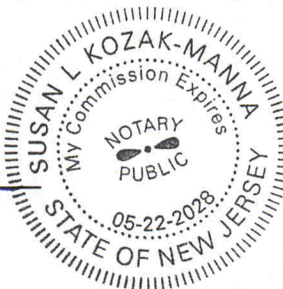
(SEAL)

Susan L. Kozak-Manna

SUSAN L. KOZAK-MANNA

NOTARY PUBLIC, STATE OF NEW JERSEY  
MY COMMISSION EXPIRES

MAY 22, 2028







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: **8210087-974450**

## 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, James Baldassare Jr, Sherryanne M. DePirro, Krista A. DiMezza, Michael Dugan, Charo J. Rosemond, Lisa M. Scavetta, Maria L. Spadaccini, John F. Surano, Nicholas F. Walsh

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 11th day of May, 2023.



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

By: David M. Carey  
David M. Carey, Assistant Secretary

State of PENNSYLVANIA  
County of MONTGOMERY ss

On this 11th day of May, 2023 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 Plymouth Meeting, 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: 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 4th day of October, 2024.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary



**TRAVELERS**

**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 **Michael Dugan** of **SADDLE BROOK, New Jersey**, 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*  
 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*  
 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 **4th** day of **October**, **2024**



*Kevin E. Hughes*  
 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.**



**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. DIMEZZA, Charo J. ROSEMOND, John F. SURANO, Sherryanne M. DEPIRRO, Nicholas F. WALSH, Lisa M. SCAVETTA, James BALDASSARE, JR., Michael DUGAN, 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.

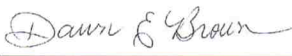
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

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 25th day of August, A.D. 2023.



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

  
By: Robert D. Murray  
Vice President

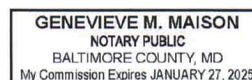
  
By: Dawn E. Brown  
Secretary

**State of Maryland  
County of Baltimore**

On this 25th day of August, A.D. 2023, 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, depose 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.

*Genevieve M. Maison*



**Authenticity of this bond can be confirmed at [bondvalidator.zurichna.com](http://bondvalidator.zurichna.com) or 410-559-8790**

## 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 4th day of October, 2024.



A handwritten signature in blue ink, appearing to read "Thomas O. McClellan".

Thomas O. McClellan  
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  
[reportsfclaims@zurichna.com](mailto:reportsfclaims@zurichna.com)  
800-626-4577

**Authenticity of this bond can be confirmed at [bondvalidator.zurichna.com](http://bondvalidator.zurichna.com) or 410-559-8790**





## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company  
Westchester Fire Insurance Company | ACE American Insurance Company

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 Baldassare Jr., Sherryanne M. DePirro, Krista A. DiMezza, Michael Dugan, Charo J. Rosemond, Lisa M. Scavetta, John F. Surano and Nicholas F. Walsh of Saddle Brook, New Jersey -----

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 thereon 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.

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 11<sup>th</sup> day of August 2023.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY  
County of Hunterdon

SS.

On this 11<sup>th</sup> day of August 2023 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros 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. Chloros 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.

Notarial Seal



Albert Contursi  
NOTARY PUBLIC OF NEW JERSEY  
No 50202369  
Commission Expires August 22, 2027

*Albert Contursi*  
Notary Public

### CERTIFICATION

Resolutions adopted by the Boards of Directors of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** on August 30, 2016; **WESTCHESTER FIRE INSURANCE COMPANY** on December 11, 2006; and **ACE AMERICAN INSURANCE COMPANY** on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) 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.
- (2) Each duly 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.
- (3) 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 or otherwise, such 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.
- (4) 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 Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

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."

I, Dawn M. Chloros, 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

- (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.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 4<sup>th</sup> day of October 2024



*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

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) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

## 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

**Michael Dugan, James Baldassare Jr, Sherryanne M DePirro, Nicholas F Walsh, Lisa M Scavetta, Krista A DiMezza, 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 20th day of July, 2023.



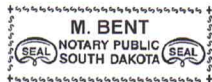
The Continental Insurance Company

Larry Kasten

Vice President

State of South Dakota, County of Minnehaha, ss:

On this 20th day of July, 2023, before me personally came Larry Kasten 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

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 Resolutions 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 4th day of October . 2024



The Continental Insurance Company

D. Johnson

Assistant Secretary

Form F6850-4-2023

Go to [www.cnasurety.com](http://www.cnasurety.com) > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.



## **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 resolutions duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

“RESOLVED: That any Senior or 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 Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above resolution to execute 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.”

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

“RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company.”

**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: **Michael Dugan, Lisa M. Scavetta, Sherryanne M. DePirro, Nicholas F. Walsh, James Baldassare, Jr., Charo J. Rosemond, Krista A. DiMezza, John F. Surano, 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 August 24, 2023. 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 seals of the Companies and signatures by an authorized officer of the Company may be affixed by facsimile or digital format, which shall be deemed the equivalent of and constitute the written signature of such officer of the Companies and original seals of the Companies for all purposes regarding this Power of Attorney, including satisfaction of any signature and seal 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,**

By:

David Fields, Executive Vice President



**NATIONAL INDEMNITY COMPANY,  
NATIONAL LIABILITY & FIRE INSURANCE COMPANY,**

By:

David Fields, Vice President



**NOTARY**

State of Massachusetts, County of Suffolk, ss:

On this 24th day of August, 2023, 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]



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 October 4, 2024.



Ralph Tortorella, Officer



**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.

**UPDATED 10/07/2015**

<b>DATE:</b>	2/20/2024	<b>CMR NUMBER:</b>	88
<b>PROJECT:</b>	Huntsville City Hall		
<b>OWNER:</b>	City of Huntsville		
<b>ARCHITECT:</b>	Goodwyn Mills Cawood		
<b>CONTRACTOR:</b>	Turner Construction		
<b>DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):</b>			
Additional scope associated with response to ASI 21 and RFIs 334, 361, 384, 386, 392, 427, 431, 434, 435, 438, 440, & 443			

- \*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\***

- \*\*\*THIS EXECUTED FORM DOES NOT CONSTITUTE A CHANGE ORDER. THIS DOCUMENT IS AN ACKNOWLEDGEMENT BY THESE DESIGNATED REPRESENTATIVES THAT THEY RECOMMEND TO THE CITY OF HUNTSVILLE'S CITY COUNCIL TO APPROVE THE CHANGE IN CONTRACT SUM, SCOPE AND OR TIME STATED HEREIN. THE CITY OF HUNTSVILLE'S CITY COUNCIL MUST APPROVE ALL CHANGE ORDERS.\*\*\***



# "EXHIBIT A"

UPDATED 10/07/2015

## CONTRACT MODIFICATION REQUEST

DATE: 5/29/2024 CMR NUMBER: 91  
PROJECT: Huntsville City Hall  
OWNER: City of Huntsville  
ARCHITECT: Goodwyn Mills Cawood  
CONTRACTOR: Turner Construction

### DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):

Pricing associated with ASI 22-24 as well as misc. RFIs - See summary included with back-up sheet for list.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$260,351.85  
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 9

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

### 3. SUBMITTED BY:

A. CONTRACTOR

B. ARCHITECT

Thomas V. V. V.

\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

### 4. INITIATED BY: Contractor

### 5. OWNER'S CLASSIFICATION:

CONTRACT MODIFICATION DUE TO:

- ☐ VALUE ENGINEERING OR COST REDUCTION  
☒ CHANGES IN PROJECT SCOPE OF WORK  
☐ OWNER REQUESTED UPGRADE  
☐ UNFORESEEN CONDITIONS  
☐ TECHNICAL COORDINATION

### 6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:

- ☐ MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.  
☐ CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.  
☐ EMERGENCIES ARISING DURING THE COURSE OF THE WORK.  
☐ CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.  
☒ CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.  
☐ CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

### 7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:

- A. CoH ESTIMATOR  
B. CoH PROJECT MANAGER  
C. DEPARTMENT HEAD (CUSTOMER)  
D. CoH FACILITIES PROJ MANAGER  
E. DEPARTMENT HEAD (GS)

Notary Public  
John R. Williams  
John R. Williams  
John R. Williams

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# "EXHIBIT A"

UPDATED 10/07/2015

## CONTRACT MODIFICATION REQUEST

DATE: 5/22/2024 CMR NUMBER: 92  
PROJECT: Huntsville City Hall  
OWNER: City of Huntsville  
ARCHITECT: Goodwyn Millis Cawood  
CONTRACTOR: Turner Construction

### DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):

Additional scope associated with response to the City Hall GCGR extension.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$470,520.34  
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 0

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

### 3. SUBMITTED BY:

A. CONTRACTOR

B. ARCHITECT

*Thomas V. Smith*

\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

4. INITIATED BY: Contractor

### 5. OWNER'S CLASSIFICATION:

CONTRACT MODIFICATION DUE TO:

- ☐ VALUE ENGINEERING OR COST REDUCTION  
☒ CHANGES IN PROJECT SCOPE OF WORK  
☐ OWNER REQUESTED UPGRADE  
☐ UNFORESEEN CONDITIONS  
☐ TECHNICAL COORDINATION

### 6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:

- ☐ MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.  
☐ CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.  
☐ EMERGENCIES ARISING DURING THE COURSE OF THE WORK.  
☐ CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.  
☒ CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.  
☐ CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

### 7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:

- A. CoH ESTIMATOR  
B. CoH PROJECT MANAGER  
C. DEPARTMENT HEAD (CUSTOMER)  
D. CoH FACILITIES PROJ MANAGER  
E. DEPARTMENT HEAD (GS)

*Notasat Wright*  
*Thomas V. Smith*  
*Michael Smith*  
*Chris Weil*  
*Robert Wilk*

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# "EXHIBIT A"

UPDATED 10/07/2015

## CONTRACT MODIFICATION REQUEST

DATE: 7/17/2024 CMR NUMBER: 93

PROJECT: Huntsville City Hall

OWNER: City of Huntsville

ARCHITECT: Goodwyn Mills Cawood

CONTRACTOR: Turner Construction

**DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):**

Additional scope associated with ~~ASI 25~~ and misc. RFIs.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$42,513.93

2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 0

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

**3. SUBMITTED BY:**

A. CONTRACTOR

B. ARCHITECT

Thomas Vinton

\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

4. INITIATED BY: Contractor

**5. OWNER'S CLASSIFICATION:**

CONTRACT MODIFICATION DUE TO:

       VALUE ENGINEERING OR COST REDUCTION

X CHANGES IN PROJECT SCOPE OF WORK

       OWNER REQUESTED UPGRADE

       UNFORESEEN CONDITIONS

       TECHNICAL COORDINATION

**6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:**

       MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.

       CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE

       CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.

       EMERGENCIES ARISING DURING THE COURSE OF THE WORK.

       CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO

       DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.

X CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.

       CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

**7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:**

A. CoH ESTIMATOR

B. CoH PROJECT MANAGER

C. DEPARTMENT HEAD (CUSTOMER)

D. CoH FACILITIES PROJ MANAGER

E. DEPARTMENT HEAD (GS)

Natasha Wright  
John Thomas  
John Smith  
Mike Dail  
Kevin Ewilk

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**"EXHIBIT A"**

UPDATED 10/07/2015

**CONTRACT MODIFICATION REQUEST**

DATE: 6/19/2023 CMR NUMBER: 94  
PROJECT: Huntsville City Hall  
OWNER: City of Huntsville  
ARCHITECT: Goodwyn Mills Cawood  
CONTRACTOR: Turner Construction

**DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):**

Additional days associated with the freezing weather that took place on January 15-19. Weather delayed critical path activities in the building and tradesmen were not able to travel to work.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$31,162.16  
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 7

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

**3. SUBMITTED BY:**

A. CONTRACTOR

B. ARCHITECT

Thomas V. Viner

\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

4. INITIATED BY: Contractor

**5. OWNER'S CLASSIFICATION:**

CONTRACT MODIFICATION DUE TO:

VALUE ENGINEERING OR COST REDUCTION

CHANGES IN PROJECT SCOPE OF WORK

OWNER REQUESTED UPGRADE

X UNFORESEEN CONDITIONS

TECHNICAL COORDINATION

**6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:**

X MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.

CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE

CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.

EMERGENCIES ARISING DURING THE COURSE OF THE WORK.

CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO

DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.

CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND

THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.

CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND

THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

**7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:**

A. CoH ESTIMATOR

B. CoH PROJECT MANAGER

C. DEPARTMENT HEAD (CUSTOMER)

D. CoH FACILITIES PROJ MANAGER

E. DEPARTMENT HEAD (GS)

Natasha Wright  
Joe S. S. S.  
Chris Weil  
Adrianne

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# "EXHIBIT A"

UPDATED 10/07/2015

## CONTRACT MODIFICATION REQUEST

DATE: 6/19/2023 CMR NUMBER: 95  
PROJECT: Huntsville City Hall  
OWNER: City of Huntsville  
ARCHITECT: Goodwyn Mills Cawood  
CONTRACTOR: Turner Construction

### DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):

Additional days and cost associated with the generator testing delays caused by gas supply.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$46,248.44  
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 14

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

### 3. SUBMITTED BY:

A. CONTRACTOR

B. ARCHITECT

*Thomas V. Vinton*

\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

4. INITIATED BY: Contractor

### 5. OWNER'S CLASSIFICATION:

CONTRACT MODIFICATION DUE TO:

VALUE ENGINEERING OR COST REDUCTION

CHANGES IN PROJECT SCOPE OF WORK

OWNER REQUESTED UPGRADE

UNFORESEEN CONDITIONS

X TECHNICAL COORDINATION

### 6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:

MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.

CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE

CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.

EMERGENCIES ARISING DURING THE COURSE OF THE WORK.

CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO

DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.

X CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.

CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

### 7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:

A. CoH ESTIMATOR

B. CoH PROJECT MANAGER

C. DEPARTMENT HEAD (CUSTOMER)

D. CoH FACILITIES PROJ MANAGER

E. DEPARTMENT HEAD (GS)

*Natasha Wright*  
*John Smith*  
*Chris Wal*  
*Red Enkine*

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**"EXHIBIT A"**

UPDATED 10/07/2015

**CONTRACT MODIFICATION REQUEST**DATE: 9/23/2024 CMR NUMBER: 96 REV 1PROJECT: Huntsville City HallOWNER: City of HuntsvilleARCHITECT: Goodwyn Milis CawoodCONTRACTOR: Turner Construction**DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):**Additional scope associated with City requested Day 2 Adds1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$100,049.422. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 0

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

## 3. SUBMITTED BY:

A. CONTRACTOR

B. ARCHITECT

**\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\***4. INITIATED BY: Contractor

## 5. OWNER'S CLASSIFICATION:

CONTRACT MODIFICATION DUE TO:

       VALUE ENGINEERING OR COST REDUCTION       CHANGES IN PROJECT SCOPE OF WORK  X   OWNER REQUESTED UPGRADE       UNFORESEEN CONDITIONS       TECHNICAL COORDINATION

## 6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:

  X   MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.       CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE       CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.       EMERGENCIES ARISING DURING THE COURSE OF THE WORK.       CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO       DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.       CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND       THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.       CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND       THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

## 7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:

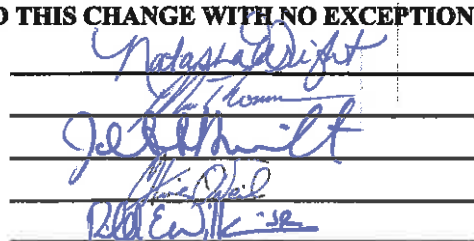
A. CoH ESTIMATOR

B. CoH PROJECT MANAGER

C. DEPARTMENT HEAD (CUSTOMER)

D. CoH FACILITIES PROJ MANAGER

E. DEPARTMENT HEAD (GS)



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**"EXHIBIT A"**

UPDATED 10/07/2015

**CONTRACT MODIFICATION REQUEST**

DATE: 9/5/2024 CMR NUMBER: 97  
PROJECT: Huntsville City Hall  
OWNER: City of Huntsville  
ARCHITECT: Goodwyn Millis Cawood  
CONTRACTOR: Turner Construction

**DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):**Additional scope associated with efforts to mitigate parking garage water accumulation.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$107,790.38  
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 0

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

**3. SUBMITTED BY:**

A. CONTRACTOR

Thomas Venter  
Turner Construction Company

B. ARCHITECT

**\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*****4. INITIATED BY:** Contractor**5. OWNER'S CLASSIFICATION:**

CONTRACT MODIFICATION DUE TO:

- VALUE ENGINEERING OR COST REDUCTION  
  X   CHANGES IN PROJECT SCOPE OF WORK  
       OWNER REQUESTED UPGRADE  
       UNFORESEEN CONDITIONS  
       TECHNICAL COORDINATION

**6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:**

- MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.  
       CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE  
CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.  
       EMERGENCIES ARISING DURING THE COURSE OF THE WORK.  
       CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO  
DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.  
  X   CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND  
THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10%  
OF THE CONTRACT PRICE.  
       CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND  
THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE  
CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

**7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:**

- A. CoH ESTIMATOR  
B. CoH PROJECT MANAGER  
C. DEPARTMENT HEAD (CUSTOMER)  
D. CoH FACILITIES PROJ MANAGER  
E. DEPARTMENT HEAD (GS)

Notary Public  
Joe [Signature]  
Chris [Signature]  
Ed [Signature]

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**"EXHIBIT A"**

UPDATED 10/07/2015

**CONTRACT MODIFICATION REQUEST**

DATE: 9/5/2024 CMR NUMBER: 98  
PROJECT: Huntsville City Hall  
OWNER: City of Huntsville  
ARCHITECT: Goodwyn Mills Cawood  
CONTRACTOR: Turner Construction

**DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):**Additional scope associated with efforts to mitigate level 2 mezzanine water accumulation.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$112,315.49  
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 0

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

**3. SUBMITTED BY:**

A. CONTRACTOR

B. ARCHITECT



\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

**4. INITIATED BY:** Contractor**5. OWNER'S CLASSIFICATION:**

CONTRACT MODIFICATION DUE TO:

       VALUE ENGINEERING OR COST REDUCTION

  X   CHANGES IN PROJECT SCOPE OF WORK

       OWNER REQUESTED UPGRADE

       UNFORESEEN CONDITIONS

       TECHNICAL COORDINATION

**6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:**

  X   MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.

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       EMERGENCIES ARISING DURING THE COURSE OF THE WORK.

       CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.

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**7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:**

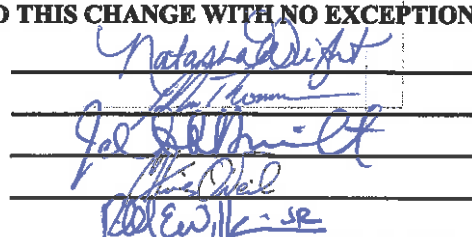
A. CoH ESTIMATOR

B. CoH PROJECT MANAGER

C. DEPARTMENT HEAD (CUSTOMER)

D. CoH FACILITIES PROJ MANAGER

E. DEPARTMENT HEAD (GS)



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# "EXHIBIT A"

UPDATED 10/07/2015

## CONTRACT MODIFICATION REQUEST

DATE: 9/17/2024 CMR NUMBER: 99

PROJECT: Huntsville City Hall

OWNER: City of Huntsville

ARCHITECT: Goodwyn Mills Cawood

CONTRACTOR: Turner Construction

**DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):**

Additional scope associated with response to Sain's backcharges for Commissioning delays.

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): -\$29,069.00

2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): 0

THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

**3. SUBMITTED BY:**

A. CONTRACTOR

B. ARCHITECT

\*\*\*BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE\*\*\*

4. INITIATED BY: Owner

**5. OWNER'S CLASSIFICATION:**

CONTRACT MODIFICATION DUE TO:

       VALUE ENGINEERING OR COST REDUCTION

  X   CHANGES IN PROJECT SCOPE OF WORK

       OWNER REQUESTED UPGRADE

       UNFORESEEN CONDITIONS

       TECHNICAL COORDINATION

**6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:**

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       THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

**7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:**

A. CoH ESTIMATOR

B. CoH PROJECT MANAGER

C. DEPARTMENT HEAD (CUSTOMER)

D. CoH FACILITIES PROJ MANAGER

E. DEPARTMENT HEAD (GS)

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