

## CONTRACT AMENDMENT

NO. 1

Project: City of Vicksburg NRCS EWP Erosion Control Project – Sports Force Site # NR244423XXXXC011 Date: 26 February 2025

Owner: City of Vicksburg

Contractor: Fordice Construction Company

The contract, dated 25 September 2024, between the above listed parties, is hereby amended as set forth below. Description of and reason for amendment:

- Upon completion of clearing and performing final dressing along the extremely long fill slope of the project area it became evident that runoff from stormwater along said slope will require mitigation to protect from immediate and future erosion until the slope becomes stabilized with full growth and vegetative coverage. These mitigation measures will consist of forming a series of earthen berms to divert sheet flows into two additional rip-rap ditches along the slopes. This additional work will require increasing the original quantities of loose rip-rap, geotextile fabric and unclassified excavation as follows:

Unclassified Excavation – 750 CY

Loose Rip-Rap – 585 TONS

Geotextile Under Riprap – 800 SY

(\*\*Remaining contract pay items also adjusted to reflect current over/under runs of original bid quantities)

- To accomplish this additional work an adjustment to contract time is required to perform the additional grading, ditching and stabilization of said ditches. Furthermore, due to the above average seasonal rainfall, frozen soil conditions, site access challenges along the outskirts of a floodway, and additional effort required to drive the required piling are all contributing factors to an extension of contract time.

\*\*\* A detailed tabulation of changes is shown on the attachment to this amendment.

Contract Amount is Amended as Follows:

Contract Time is Amended as Follows:

Present Contract Amount	<u>\$1,071,668.75</u>	Present Completion Date	<u>75 Calendar Days</u>
Net Change in Contract	<u>\$57,074.00</u>	Net Change-No. of Days	<u>70 Calendar Days</u>
Amended Contract Amount	<u>\$1,128,742.75</u>	Amended Completion Date	<u>145 Calendar Days</u>

Recommended by  Engineer

Approved by  Contractor

Approved by \_\_\_\_\_  
Fidelity and Deposit Company of Maryland

Approved by  Contractor's Bonding Company  
Kathleen Scarborough, Attorney-In-Fact

**CONTRACT AMENDMENT NO. 1 (Detailed Tabulation)**  
**City of Vicksburg NRCS EWP Erosion Control Project - Sports Force Site**  
**# NR244423XXXXC011**

ITEM NO.	DESCRIPTION	UNITS	PRESENT CONTRACT QUANTITY	NET CHANGE IN QUANTITY	AMENDED CONTRACT QUANTITY	AMENDED CONTRACT AMOUNT		INCREASE OR DECREASE
						UNIT PRICE	AMOUNT	
	****BASE BID ITEMS****							
S-200-A	MOBILIZATION	LS	1.00	0.00	1.00	\$20,000.00	\$20,000.00	\$0.00
S-201-A	CLEARING AND GRUBBING	ACRE	4.75	0.00	4.75	\$6,200.00	\$29,450.00	\$0.00
S-202-C	REMOVE, SALVAGE & RE-INSTALL CHAIN LINK FENCING	LF	460.00	(345.00)	115.00	\$30.00	\$3,450.00	(\$10,350.00)
S-203-A	UNCLASSIFIED EXCAVATION, PM	CY	2,250.00	750.00	3,000.00	\$9.00	\$27,000.00	\$6,750.00
S-203-E	BORROW EXCAVATION, CONTRACTOR FURNISHED, LVM, CLASS B9	CY	17,400.00	1,464.00	18,864.00	\$13.50	\$254,664.00	\$19,764.00
S-214-A	SEEDING	ACRE	5.00	0.00	5.00	\$2,500.00	\$12,500.00	\$0.00
S-232-A	EROSION CONTROL BLANKET, TYPE II, AOS 0.15-0.84	SY	5,300.00	0.00	5,300.00	\$3.00	\$15,900.00	\$0.00
S-233-A	TEMPORARY SILT FENCE, TYPE II, AOS 0.15-0.84	LF	1,400.00	(190.00)	1,210.00	\$5.00	\$6,050.00	(\$950.00)
S-237-A	WATTLES, 20"	LF	280.00	(280.00)	0.00	\$8.00	\$0.00	(\$2,240.00)
S-304-D	CRUSHED STONE (SIZE 610)	TON	210.00	(100.00)	110.00	\$67.00	\$7,370.00	(\$6,700.00)
S-803-E	HP 14x73 STEEL PILING, STABILIZATION PILES	LF	9,295.00	0.00	9,295.00	\$73.25	\$680,858.75	\$0.00
S-815-A	LOOSE RIPRAP, 100 LB.	TON	240.00	585.00	825.00	\$80.00	\$66,000.00	\$46,800.00
S-815-E	GEOTEXTILE UNDER RIPRAP, TYPE V, AOS 0.21-0.43	SY	300.00	800.00	1,100.00	\$5.00	\$5,500.00	\$4,000.00
<b>TOTALS</b>							<b>\$1,128,742.75</b>	<b>\$57,074.00</b>

**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 **Lisa R. BUTLER, Joseph R. BEATTIE, Patrick T. MASON, Jim E. BRASHIER, Susan SKRMETTA, Troy WAGENER, Kathleen SCARBOROUGH, Dewey B. MASON, James E. BRASHIER, Lessie R. ANDERSON and Debbie L. DUNAWAY** all of Gulfport, Mississippi and **Julie LIVINGSTON** of Montgomery, Alabama, 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 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 28th 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*

GENEVIEVE M. MAISON  
NOTARY PUBLIC  
BALTIMORE COUNTY, MD  
My Commission Expires JANUARY 27, 2025



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 26th day of February, 2025.



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