

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE
PUBLIC DEFENDER REMODEL PROJECT

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the construction of the Public Defender Remodel Project is substantially complete ;and,

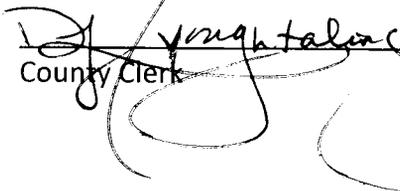
WHEREAS, the one year warranty period date of commencement is August 8, 2013.

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners, that the Chairman of such Board is hereby authorized to sign the attached Certificate of Substantial Completion for the Public Defender Remodel Project.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 8th day of October, 2013.


Sarpy County Board Chairman

Attest: 
SEAL


County Clerk

Sarpy County Purchasing Department

SARPY COUNTY COURTHOUSE
1210 GOLDEN GATE DRIVE SUITE 1220
PAPILLION, NE 68046



Brian Hanson, Purchasing Agent
(402) 593-2349
Debby Peoples, Asst. Purchasing Agent
(402) 593-4164
Beth Garber, Senior Buyer/Contract Administrator
(402) 593-4476
Lois Spethman, Supply Clerk/Purchaser
(402) 593-2102

Memo

To: Sarpy County Board of Commissioners

From: Beth Garber

Re: Substantial Completion – Public Defender Remodel Project

During the October 8, 2013 Board Meeting, the County Board will be asked to approve the attached Certificate of Substantial Completion for the Public Defender Remodel Project. The beginning of the warranty period is August 8, 2013 which corresponds to the move in date. There are no outstanding items associated with this project.

Please feel free to contact me with any questions.

October 3, 2013



Beth Garber

Cc: Deb Houghtaling
Mark Wayne
Scott Bovick
Brian Hanson
Ross Richards



AIA®

Document G704™ – 2000

Certificate of Substantial Completion

PROJECT:
(Name and address)
 12134 Sarpy Public Defender Interior Remodel
 Sarpy County Jail
 1208 Golden Gate Drive
 Papillion, Nebraska

PROJECT NUMBER: 13412/
CONTRACT FOR: General Construction
CONTRACT DATE: April 9, 2013

OWNER:
 ARCHITECT:
 CONTRACTOR:
 FIELD:
 OTHER:

TO OWNER:
(Name and address)
 Sarpy County Board of Commissioners
 1210 Golden Gate Drive
 Papillion, Nebraska 68046

TO CONTRACTOR:
(Name and address)
 F & B Constructors, Inc.
 4344 South 87th Street
 Omaha, Nebraska 68127

PROJECT OR PORTION OF THE PROJECT DESIGNATED FOR PARTIAL OCCUPANCY OR USE SHALL INCLUDE:

The Work performed under this Contract has been reviewed and found, to the Architect's best knowledge, information and belief, to be substantially complete. Substantial Completion is the stage in the progress of the Work when the Work or designated portion is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. The date of Substantial Completion of the Project or portion designated above is the date of issuance established by this Certificate, which is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below:

Warranty
 1 - Year

Date of Commencement
 August 8, 2013

Carlson West Povondra Architects

August 9, 2013

ARCHITECT

BY

DATE OF ISSUANCE

A list of items to be completed or corrected is attached hereto. The failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. Unless otherwise agreed to in writing, the date of commencement of warranties for items on the attached list will be the date of issuance of the final Certificate of Payment or the date of final payment.

Cost estimate of Work that is incomplete or defective: \$ _____ or equal to full project retainage.

The Contractor will complete or correct the Work on the list of items attached hereto within Zero (0) days from the above date of Substantial Completion.

F & B Constructors, Inc.

DATE

CONTRACTOR

BY

The Owner accepts the Work or designated portion as substantially complete and will assume full possession at Noon (time) on August 8, 2013 (date).

Sarpy County Board of Commissioners

DATE

OWNER

BY

RR
10/2/13

The responsibilities of the Owner and Contractor for security, maintenance, heat, utilities, damage to the Work and insurance shall be as follows:

(Note: Owner's and Contractor's legal and insurance counsel should determine and review insurance requirements and coverage.)



September 30, 2013

Jim Warren, Board Chairman
Sarpy County Board of Commissioners
1210 Golden Gate Drive
Papillion, Nebraska 68046

Re: Sarpy County Public Defender
Interior Remodel
Papillion, Nebraska
CWP Project No. 12134

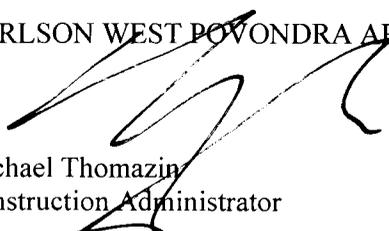
Dear Jim:

Enclosed please find your signed and notarized sets of AIA Document G706-Contractor's Affidavit of Payment of Debts and Claims, G706A-Contractor's Affidavit of Release of Liens and G707-Consent of Surety to Final Payment for your files.

Please do not hesitate to contact me at this office with any questions and/or comments you have.

Sincerely,

CARLSON WEST POVONDRA ARCHITECTS



Michael Thomazin
Construction Administrator

Enclosures

MT/mmb

cc: Keith Ebert, F&B Constructors, Inc.

AIA® Document G706™ – 1994

Contractor's Affidavit of Payment of Debts and Claims

PROJECT: <i>(Name and address)</i> 12134 Sarpy Public Defender Interior Remodel Sarpy County Jail 1208 Golden Gate Drive Papillion, Nebraska	ARCHITECT'S PROJECT NUMBER: 13412	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> SURETY: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Sarpy County Board of Commissioners 1210 Golden Gate Drive Papillion, Nebraska 68046	CONTRACT FOR: General Construction	
	CONTRACT DATED: April 9, 2013	

STATE OF: Nebraska
COUNTY OF: Sarpy

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document G707, Consent of Surety, may be used for this purpose

Indicate Attachment Yes No

CONTRACTOR: *(Name and address)*

F & B Constructors, Inc.
4344 South 87th Street
Omaha, Nebraska 68127

BY: 
(Signature of authorized representative)

Keith Ebert, Project Manager
(Printed name and title)

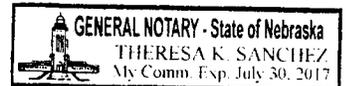
The following supporting documents should be attached hereto if required by the Owner:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
3. Contractor's Affidavit of Release of Liens (AIA Document G706A).

Subscribed and sworn to before me on this date: August 23, 2013

Notary Public: 
My Commission Expires: July 30, 2017

R12
10/2/13



AIA[®] Document G706A[™] – 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> 12134 Sarpy Public Defender Interior Remodel Sarpy County Jail 1208 Golden Gate Drive Papillion, Nebraska TO OWNER: <i>(Name and address)</i> Sarpy County Board of Commissioners 1210 Golden Gate Drive Papillion, Nebraska 68046	ARCHITECT'S PROJECT NUMBER: 13412 CONTRACT FOR: General Construction CONTRACT DATED: April 9, 2013	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> SURETY: <input type="checkbox"/> OTHER: <input type="checkbox"/>
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STATE OF: Nebraska
COUNTY OF: Sarpy

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR: *(Name and address)*

F & B Constructors, Inc.
 4344 South 87th Street
 Omaha, Nebraska 68127

BY:



(Signature of authorized representative)

Keith Ebert, Project Manager
(Printed name and title)

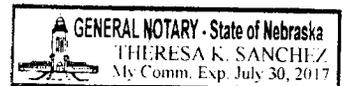
Subscribed and sworn to before me on this date: August 23, 2013

Notary Public:

My Commission Expires:


July 30, 2017

RR
 10/2/13





AIA® Document G707™ – 1994

Consent Of Surety to Final Payment

PROJECT: <i>(Name and address)</i> 12134 Sarpy Public Defender Interior Remodel Sarpy County Jail 1208 Golden Gate Drive Papillion, Nebraska	ARCHITECT'S PROJECT NUMBER: 13412	OWNER: <input checked="" type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Sarpy County Board of Commissioners 1210 Golden Gate Drive Papillion, Nebraska 68046	CONTRACT FOR: General Construction	ARCHITECT: <input checked="" type="checkbox"/>
	CONTRACT DATED: April 9, 2013	CONTRACTOR: <input checked="" type="checkbox"/>
		SURETY: <input type="checkbox"/>
		OTHER: <input type="checkbox"/>

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Merchants Bonding Company (Mutual)
2100 Fleur Dr.
Des Moines, IA 50321

, SURETY,

on bond of
(Insert name and address of Contractor)

F & B Constructors, Inc.
4344 South 87th Street, Omaha, Nebraska 68127

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

Sarpy County Board of Commissioners
1210 Golden Gate Drive, Papillion, Nebraska 68046

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: August 26, 2013
(Insert in writing the month followed by the numeric date and year.)

~~MERCHANTS BONDING COMPANY (MUTUAL)~~
(Surety)

(Signature of authorized representative)

Attest:
(Seal)

James M. King, Attorney-in-Fact
(Printed name and title)

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

Jacob J Buss; James M King; Robert T Cirone; Suzanne P Westerholt

of Lincoln and State of NE their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FIFTEEN MILLION (\$15,000,000.00) DOLLARS

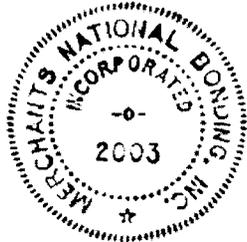
and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

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

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

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 1st day of January, 2012.



MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 1st day of January, 2012, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



Maranda Greenwalt
Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1st day of August 2013



William Warner Jr.
Secretary

POA 0014 (11/11)