

AMENDED AGREEMENT NO. 2 Final CONTRACT NO. CE1100285-01

THIS AGREEMENT, made and entered into this _____ day of _____, 20____ by and between the County of Cuyahoga, Ohio

and Karvo Paving Company, an Ohio Corporation, with principal offices located at 4524 Hudson Drive, Stow, Ohio, 44224.

WITNESSETH, that whereas in the performance of Contract CE1100285-01 between the above named parties, calling for the Repair and Resurfacing of Tiedeman Road from Memphis Avenue to Brookpark Road in the City of Brooklyn

that it is necessary to make alterations and modifications as follows in said contract in order that the work be properly completed:
The following plan quantity adjustments are based on final field measurements and calculations.

WHEREAS, the Contractor has agreed and by these presents does agree to perform the work necessary to complete the contract in accordance with the alterations and modifications desired by the County at the following prices for the following work, viz:

INCREASED PLAN ITEMS

Ref. No.	Descriptions	Qty.	Unit	Unit Price	Total
70	CENTER LINE	0.100	MI	\$ 2,900.00	\$ 290.00
71	CHANNELIZING LINE	182.000	FT	\$ 1.20	\$ 218.40
76	SCHOOL SYMBOL MARKING, 72" TYPE A3, APP	2.000	EA	\$ 950.00	\$ 1,900.00
108	ACTUAL COST FOR CPWD VAULT CASTINGS	1.000	LUMP	\$ 18,486.26	\$ 18,486.26
					\$ 20,894.66

DECREASED PLAN ITEMS

Ref. No.	Descriptions	Qty.	Unit	Unit Price	Total
1	PAVEMENT REMOVED	(387.34)	SY	\$ 16.00	\$ (6,197.44)
2	WEARING COURSE REMOVED	(347.90)	SY	\$ 1.70	\$ (590.41)
3	WALK REMOVED	(8,636.07)	SF	\$ 1.00	\$ (8,636.07)
4	PIPE REMOVED, 24" AND UNDER	(200.00)	FT	\$ 5.00	\$ (1,000.00)
5	MANHOLE REMOVED	(3.00)	EA	\$ 300.00	\$ (900.00)
6	CATCH BASIN REMOVED	(5.00)	EA	\$ 400.00	\$ (2,000.00)
7	EXCAVATION	(72.58)	CY	\$ 24.00	\$ (1,741.92)
8	SUBGRADE COMPACTION	(435.48)	SY	\$ 2.00	\$ (870.92)
9	EMBANKMENT, AS PER PLAN	(100.00)	CY	\$ 10.00	\$ (1,000.00)
10	GRANULAR EMBANKMENT, AS PER PLAN	(200.00)	CY	\$ 11.00	\$ (2,200.00)
11	GEOTEXTILE FABRIC	(1,000.00)	SY	\$ 0.50	\$ (500.00)
12	LINEAR GRADING, AS PER PLAN	(1,112.00)	SY	\$ 4.50	\$ (5,004.00)
13	CUYAHOGA COUNTY CENTERLINE MONUMENT BOX	(1.00)	EA	\$ 650.00	\$ (650.00)
14	CUYAHOGA COUNTY MONUMENT BOX	(4.00)	EA	\$ 200.00	\$ (800.00)
15	MONUMENT BOX ADJUSTED TO GRADE, AS PER PLAN	(4.00)	EA	\$ 375.00	\$ (1,500.00)
16	RIGHT OF WAY MONUMENT	(5.00)	EA	\$ 65.00	\$ (325.00)
18	4-1/2" CONCRETE WALK, AS PER PLAN	(6,712.87)	SF	\$ 3.00	\$ (20,138.61)
19	CURB RAMP, TYPE A1, AS PER PLAN	(4.00)	EA	\$ 580.00	\$ (2,320.00)
20	CURB RAMP, TYPE A2, AS PER PLAN	(6.00)	EA	\$ 600.00	\$ (3,600.00)
21	CURB RAMP, TYPE B1, AS PER PLAN	(1.00)	EA	\$ 605.00	\$ (605.00)
23	CURB RAMP, TYPE C1, AS PER PLAN	(1.00)	EA	\$ 600.00	\$ (600.00)
24	SOIL ANALYSIS TEST	(2.00)	EA	\$ 100.00	\$ (200.00)
26	TOPSOIL	(62.60)	CY	\$ 28.00	\$ (1,752.80)
28	SEEDING AND MULCHING, AS PER PLAN	(1,112.00)	SY	\$ 1.00	\$ (1,112.00)
27	COMMERCIAL FERTILIZER	(0.22)	TON	\$ 500.00	\$ (110.00)
28	LIME	(0.40)	ACRE	\$ 100.00	\$ (40.00)
29	WATER	(11.00)	MGAL	\$ 5.00	\$ (55.00)
30	EROSION CONTROL	(20,000.00)	EA	\$ 1.00	\$ (20,000.00)
31	6" CONDUIT, TYPE F FOR UNDERDRAIN OUTLETS, APP	(200.00)	FT	\$ 5.00	\$ (1,000.00)
32	12" CONDUIT, TYPE B, 708.02, AS PER PLAN	(100.00)	FT	\$ 20.00	\$ (2,000.00)
33	12" CONDUIT, TYPE C, 708.02, AS PER PLAN	(100.00)	FT	\$ 20.00	\$ (2,000.00)
34	CATCH BASIN, CUYAHOGA COUNTY NO. 3C, APP	(5.00)	EA	\$ 600.00	\$ (3,000.00)
35	CATCH BASIN ADJUSTED TO GRADE, AS PER PLAN	(37.00)	EA	\$ 550.00	\$ (20,360.00)
36	CATCH BASIN RECONSTRUCTED TO GRADE, APP	(34.00)	EA	\$ 600.00	\$ (20,400.00)
37	MANHOLE, NO. 1, AS PER PLAN	(3.00)	EA	\$ 1,000.00	\$ (3,000.00)

DECREASED PLAN ITEMS CONTINUED

Ref. No.	Descriptions	Qty.	Unit	Unit Price	Total
38	MANHOLE ADJUSTED TO GRADE, AS PER PLAN	(33.00)	EA	\$ 475.00	\$ (15,875.00)
39	MANHOLE RECONSTRUCTED TO GRADE, AS PER PLAN	(19.00)	EA	\$ 600.00	\$ (9,600.00)
40	6" BASE PIPE UNDERDRAINS, 708.08, AS PER PLAN	(1,000.00)	FT	\$ 5.00	\$ (5,000.00)
41	MISCELLANEOUS METAL	(18,608.00)	LBS	\$ 0.75	\$ (13,956.00)
42	VALVE BOX ADJUSTED TO GRADE, AS PER PLAN	(38.00)	EA	\$ 300.00	\$ (11,400.00)
43	SERVICE BOX ADJUSTED TO GRADE, AS PER PLAN	(8.00)	EA	\$ 30.00	\$ (240.00)
44	PARTIAL DEPTH PAVEMENT REPAIR, AS PER PLAN	(4,200.10)	SY	\$ 24.00	\$ (100,802.40)
45	FULL DEPTH PAVEMENT REMOVAL AND RIGID	(380.21)	SY	\$ 90.00	\$ (34,218.90)
46	FULL DEPTH PAVEMENT REMOVAL AND RIGID	(1,488.88)	SY	\$ 70.00	\$ (104,222.20)
47	FULL DEPTH PAVEMENT SAWING	(8,277.11)	FT	\$ 1.00	\$ (8,277.11)
48	AGGREGATE BASE, AS PER PLAN	(360.49)	CY	\$ 25.00	\$ (9,012.25)
49	TACK COAT, AS PER PLAN	(908.89)	GAL	\$ 3.90	\$ (3,544.67)
50	TACK COAT, 702.13	(879.88)	GAL	\$ 2.00	\$ (1,759.36)
51	TACK COAT FOR INTERMEDIATE COURSE	(148.00)	GAL	\$ 2.00	\$ (296.00)
52	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE	(79.80)	CY	\$ 116.00	\$ (9,288.40)
54	8" REINFORCED CONCRETE PAVEMENT USING CLASS	(300.00)	SY	\$ 55.00	\$ (16,500.00)
55	8" NON-REINFORCED CONCRETE PAVEMENT USING	(136.48)	SY	\$ 50.00	\$ (6,773.00)
56	CURB, TYPE 2-B USING CLASS MS CONCRETE, AS PER	(2,381.85)	FT	\$ 4.00	\$ (9,447.40)
57	CONCRETE PAVEMENT JOINT CLEANED AND FILLED	(31,931.70)	FT	\$ 0.48	\$ (15,327.22)
58	CONCRETE PAVEMENT CRACK CLEANED AND FILLED	(2,837.80)	FT	\$ 0.48	\$ (1,362.14)
59	REINFORCED PAVEMENT FABRIC	(1,386.39)	SY	\$ 4.19	\$ (5,808.87)
61	SIGN SUPPORT ASSEMBLY, POLE MOUNTED	(12.00)	EA	\$ 36.00	\$ (432.00)
62	SIGN, FLAT SHEET, TYPE G	(29.75)	SF	\$ 12.00	\$ (357.00)
63	SIGN, FLAT SHEET, TYPE H	(6.25)	SF	\$ 13.00	\$ (81.25)
65	REMOVAL OF GROUND MOUNTED POST SUPPORT	(3.00)	EA	\$ 10.00	\$ (30.00)
67	REMOVAL OF POLE MOUNTED SIGN AND DISPOSAL	(97.00)	EA	\$ 16.00	\$ (1,552.00)
72	ISLAND MARKING	(600.00)	SF	\$ 4.50	\$ (2,700.00)
73	STOP LINE, TYPE A3, AS PER PLAN	(168.50)	FT	\$ 14.00	\$ (2,359.00)
74	CROSSWALK LINE, TYPE A3, AS PER PLAN	(369.00)	FT	\$ 6.50	\$ (2,398.50)
75	TRANSVERSE/DIAGONAL LINE, TYPE A3, AS PER PLAN	(314.00)	FT	\$ 17.00	\$ (5,338.00)
77	LANE ARROW, TYPE A3, AS PER PLAN	(7.00)	EA	\$ 325.00	\$ (2,275.00)
78	WORD ON PAVEMENT, 72", TYPE A3, AS PER PLAN	(8.00)	EA	\$ 400.00	\$ (3,200.00)
79	DOTTED LINE, 4", TYPE A3, AS PER PLAN	(300.00)	FT	\$ 4.00	\$ (1,200.00)
80	TRAFFIC COMPACTED SURFACE, TYPE A OR B, AS	(200.00)	CY	\$ 5.00	\$ (1,000.00)
81	2" ASPHALT CONCRETE WALK	(600.00)	SF	\$ 1.00	\$ (600.00)
83	REPLACEMENT SIGN	(10.00)	EA	\$ 105.00	\$ (1,050.00)
85	PORTABLE CHANGEABLE MESSAGE SIGN	(174.00)	DAY	\$ 24.00	\$ (4,176.00)
86	WORK ZONE LANE LINE, CLASS II	(0.004)	MILE	\$ 500.00	\$ (2.00)
87	WORK ZONE CENTER LINE, CLASS II	(1.337)	MILE	\$ 500.00	\$ (668.50)
88	WORK ZONE EDGE LINE, CLASS I, 740.06, TYPE I	(5,968.00)	MILE	\$ 2,800.00	\$ (16,676.80)
89	WORK ZONE CHANNELIZING LINE, CLASS I	(7,537.00)	FT	\$ 0.65	\$ (4,899.05)
90	WORK ZONE DOTTED LINE, CLASS I, 740.06, TYPE I	(8,222.00)	FT	\$ 0.75	\$ (6,166.50)
91	WORK ZONE STOP LINE, CLASS I	(461.00)	FT	\$ 2.00	\$ (922.00)
92	WORK ZONE CROSSWALK LINE, CLASS I	(4,000.00)	FT	\$ 1.00	\$ (4,000.00)
93	WORK ZONE ARROW, CLASS I	(184.00)	EA	\$ 50.00	\$ (9,200.00)
94	WORK ZONE WORD ON PAVEMENT, 72", CLASS I	(80.00)	EA	\$ 50.00	\$ (4,000.00)
96	WORK ZONE SCHOOL SYMBOL MARKING, 72", CLASS I	(2.00)	EA	\$ 195.00	\$ (390.00)
97	WATER	(10.00)	MGAL	\$ 1.00	\$ (10.00)
				\$	\$ (590,581.20)

NEW PLAN ITEMS

<u>Ref.</u> <u>No.</u>	<u>Descriptions</u>	<u>Qty.</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
110	ADJUST WATER VAULT CASTINGS	1.00	EA	\$ 16,399.40	\$ 16,399.40
111	ASPHALT PRICE ADJUSTMENT	1.00	EA	\$ 600.00	\$ 600.00
112	ADJUSTMENT PER TABLE 104.02-1	1.00	FT	\$ 6,114.18	\$ 6,114.18

DECREASED PLAN ITEMS \$ (590,581.20) \$ 22,113.58

INCREASED PLAN ITEMS: \$ 20,894.65

NEW PLAN ITEMS: \$ 22,113.58

GRAND TOTAL: \$ (547,572.97)

Therefore, the contract can be decreased by (\$547,572.97).

It is now therefore agreed that the work shall be done by the Contractor at prices named above, and that the County shall pay for the work when completed to its satisfaction at the said prices on estimates in the same manner as for the items in the original contract.

By entering into this amendment I agree on behalf of the contracting business entity, its officers, employees, subcontractors, subgrantees, agents or assigns, to conduct this transaction by electronic means by agreeing that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons, to be bound by the provisions of Chapter 304 and 1308 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

Nothing in this agreement shall in any way release either party from any of the obligations of the original contract.

Witness our hands and seals this 22nd day of October, 2012

Edward FitzGerald, County Executive

County of Cuyahoga, Ohio

By: 2012-12-03 14:50:45

Edward FitzGerald, County Executive

Karvo Paving Company

Contractor

We, the undersigned, sureties on the above mentioned contract, do hereby consent to the alterations and modifications, and agree that said changes shall not in any manner prejudice our liability under the Bond.

Travelers Casualty & Surety Company of America

Paul E. Cruciani, Attorney-in-Fact

TRAVELERS**POWER OF ATTORNEY**

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 216818

Certificate No. 004940006

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

David M. Baloun, Elaine M. Dunn, Paul E. Cruciani, Richard K. Martindale, and W. Fred Kloots Jr.

of the City of North Canton, State of Ohio, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, 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 26th day of June, 2012

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: _____

George W. Thompson, Senior Vice President

On this the 26th day of June, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed 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 hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2016.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2011

CAPITAL STOCK \$ 6,480,000

ASSETS		LIABILITIES & SURPLUS	
CASH AND INVESTED CASH	\$ 103,657,622	UNEARNED PREMIUMS	\$ 813,328,006
BONDS	3,525,992,354	LOSSES	937,881,730
INVESTMENT INCOME DUE AND ACCRUED	49,234,241	REINSURANCE PAYABLE ON PAID LOSSES & LOSS ADJ. EXPENSES	2,604,752
OTHER INVESTED ASSETS	248,171,807	LOSS ADJUSTMENT EXPENSES	525,055,853
PREMIUM BALANCES	239,278,662	COMMISSIONS	30,858,691
NET DEFERRED TAX ASSET	67,832,057	TAXES, LICENSES AND FEES	60,276,105
REINSURANCE RECOVERABLE	10,883,483	OTHER EXPENSES	29,866,613
SECURITIES LENDING REINVESTED COLLATERAL ASSETS	7,344,088	FUNDS HELD UNDER REINSURANCE TREATIES	85,031,418
UNDISTRIBUTED PAYMENTS	2,593,987	CURRENT FEDERAL AND FOREIGN INCOME TAXES	49,086,627
OTHER ASSETS	381,289	REMITTANCES AND ITEMS NOT ALLOCATED	18,641,351
		AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	31,860,277
		RETROACTIVE REINSURANCE RESERVE ASSUMED	3,152,709
		POLICYHOLDER DIVIDENDS	8,117,549
		PROVISION FOR REINSURANCE	6,397,371
		PAYABLE TO PARENT, SUBSIDIARIES AND AFFILIATES	63,766,609
		PAYABLE FOR SECURITIES	1,249,803
		PAYABLE FOR SECURITIES LENDING	7,044,088
		CEDED REINSURANCE NET PREMIUMS PAYABLE	(71,042,044)
		ESCHEAT LIABILITY	591,843
		OTHER ACCRUED EXPENSES AND LIABILITIES	601,836
		TOTAL LIABILITIES	\$ 2,604,372,282
		CAPITAL STOCK	\$ 6,480,000
		PAID IN SURPLUS	433,803,760
		OTHER SURPLUS	1,211,791,508
		TOTAL SURPLUS TO POLICYHOLDERS	\$ 1,652,075,268
TOTAL ASSETS	\$ 4,256,447,550	TOTAL LIABILITIES & SURPLUS	\$ 4,256,447,550

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

MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS SECOND VICE PRESIDENT, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31ST DAY OF DECEMBER, 2011.

Michael J. Doody
SECOND VICE PRESIDENT

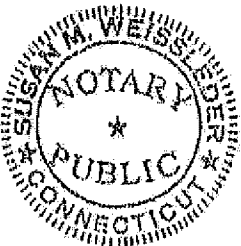
SUBSCRIBED AND SWORN TO BEFORE ME THIS
13TH DAY OF APRIL, 2012

NOTARY PUBLIC

SUSAN M. WEISSELEDER

Notary Public

My Commission Expires November 30, 2012



Office of Financial
Regulation Services
50 West Town Street
Third Floor- Suite 300
Columbus, Ohio 43215
(614) 644-2658
Fax (614) 644-3256
www.ohioinsurance.gov

Ohio Department of Insurance

John R. Kasich - Governor
Mary Taylor - Lt. Governor/Director

Certificate of Compliance



Issued	03/26/12
Effective	04/02/12
Expires	04/01/13

I, Mary Taylor, hereby certify that I am the Lt. Governor/Director of Insurance in the State of Ohio and have supervision of insurance business in said State and as such I hereby certify that

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

is authorized to transact the business of insurance under the following section(s) of the Ohio Revised Code:

Section 3929.01 (A)

Accident & Health
Aircraft
Allied Lines
Boiler & Machinery
Burglary & Theft
Commercial Auto - Liability Other
Commercial Auto - No Fault
Commercial Auto - Phys. Damage
Credit
Earthquake
Fidelity
Financial Guaranty
Fire
Glass
Inland Marine
Medical Malpractice
Multiple Peril - Commercial
Multiple Peril - Farmowners

Multiple Peril - Homeowners
Ocean Marine
Other Liability
Private Passenger Auto - No Fault
Private Passenger Auto-Liability Other
Private Passenger-Phys Damage
Surety
Workers Compensation

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA certified in its annual statement to this Department as of December 31, 2011 that it has admitted assets in the amount of \$4,256,447,550, liabilities in the amount of \$2,604,372,282, and surplus of at least \$1,652,075,268.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused my seal to be affixed at Columbus, Ohio, this day and date.

Mary Taylor

Mary Taylor

Lt. Governor/Director

