



CHANGE ORDER NO. 2
DATE 09/22/2023

Change Order not valid until signed by both the City and the Contractor. Contractor's signature indicates Agreement herewith, including any adjustments in the Agreement Price or Agreement Time.

Project Name: **Ocotillo Road Improvements Gilbert Road to 148th Street**
 Project No.: **ST1616.401; Federal No.: CHN 0(241)D; ADOT No.:T010301C**
 User Dept.: Public Works & Utilities NTP Date: 11/28/2022

TO: Haydon Companies, LLC 4640 E. Cotton Gin Loop Phoenix, AZ 85040
 (CONTRACTOR) (Mailing Address)
jmalone@haydonbc.com
 (Email Address)

Contractor must make the following changes to this Agreement: (Detail scope change (Exh. A) / cost breakdown (Exh. B), if needed)

Additional funds to address unforeseen out of scope roadway structure issues, water services, wall structural foundations, and to replenish the Owner's contingency.

Amendment authorized by Owner name: Kimberly Moon		Date: 09/22/2023
Original Agreement amount:	\$6,763,162.00	
Previous Change Order total:	\$98,000.00	
Last Agreement amount approved by Council:	\$6,763,162.00	
This Change Order:	\$900,000.00	
This Change Order + previous Change Order(s) not approved by Council total:	\$7,663,162.00	
Revised Agreement total:	\$7,663,162.00	

Council Approval Required (yes indicates approval required)	Yes	No
Change Order(s) total over \$100,000:	☒	☐
Change Order(s) total causes Agreement to exceed \$100,000:	☒	☐

Agreement Time	
Agreement time prior to this Change Order (including previous change order(s):	<u>420</u> Calendar Days
Net change resulting from this Change Order:	<u>0</u> Calendar Days
Revised Agreement time (including this Change Order):	<u>420</u> Calendar Days

Council Approval (if applicable)

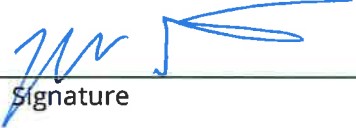
Council Approval Date: _____ Item No. _____

THE ABOVE IS AGREED TO BY:

"CITY" CITY OF CHANDLER

MAYOR

"CONTRACTOR"
Haydon Companies, LLC



Signature

9/28/2023

Date

RECOMMENDED BY:

Kimberly Moon, P.E.
CIP City Engineer

Matt Carpenter

Print Name

Member

Title



APPROVED AS TO FORM:

mcarpenter@haydonbc.com
Signer Email Address

City Attorney



ATTEST:

City Clerk

Seal

C: Owner / Project Mgr

Project Name: Ocotillo Road Improvements, Gilbert Road to 148th Street CO1
Project No.: ST1616.401; Federal No.: CHN 0(241)D; ADOT No.:T010301C

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Rev. 3/20/23

RIDER

TO BE ATTACHED TO AND FORM PART OF

Performance & Payment Bonds NO. **107596856**
(Bond Type)
IN FAVOR OF **City Of Chandler, Dept Of Public Works**
(Bond Number)
(Obligee)
ON BEHALF OF **Haydon Companies, LLC**
(Principal)
EFFECTIVE **May 26, 2022**
(Original Effective Date)

IT IS AGREED THAT, in consideration of the original premium charged for this bond, and any additional premium that may be properly chargeable as a result of this rider.

The Surety, Travelers Casualty And Surety Company Of America,
hereby gives its consent to change;

Bond/Contract Amount

(of) the referenced bond FROM: Old Bond Amount = \$6,763,162.00

TO: New Bond Amount = \$7,663,162.00 (per Change Order No. 2, dated 09/22/2023)

PROJECT: Ocotillo Road Improvements, Gilbert Road to 148th Street
City Project No. ST1616.401
Federal No. CHN 0(241)D
ADOT No. T010301C

EFFECTIVE: September 22, 2023

PROVIDED, however that the attached bond shall be subject to all its agreements, limitations, and conditions except as herein expressly modified, and that the liability of the Surety under the attached bond and under the attached bond as changed by this rider shall not be cumulative.

SIGNED, AND SEALED this 28th day of September, 2023.

Haydon Companies, LLC

Principal

**Matt
Carpenter**

Matr Carpenter, Member

Digitally signed by Matt Carpenter
DN: cn=Matt Carpenter, o=Haydon
Companies LLC, ou=Member,
email=m.carpenter@haydonbc.com, c=US
Date: 2023.09.28 10:01:26 -07'00'



Travelers Casualty and Surety Company of America

Surety

Stephanie L. Bucholz, Attorney-in-fact





**SURETY BOND SEAL ADDENDUM
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**

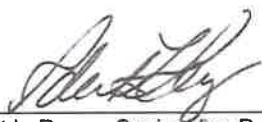
Due to logistical issues associated with the use of traditional seals during the COVID-19 pandemic, Travelers Casualty and Surety Company of America ("Travelers") has authorized its Attorneys-in-Fact to affix Travelers' corporate seal to any bond executed on behalf of Travelers by any such Attorney-in-Fact by attaching this Addendum to said bond.

To the extent this Addendum is attached to a bond that is executed on behalf of Travelers by its Attorney-in-Fact, Travelers hereby agrees that the seal below shall be deemed affixed to said bond to the same extent as if its raised corporate seal was physically affixed to the face of the bond.

Dated this 16th day of March, 2020.

Travelers Casualty and Surety Company of America



By: 
Robert L. Raney, Senior Vice President



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 **STEPHANIE L BUCHOLZ** of **MESA, Arizona**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, **2021**.



State of Connecticut

City of Hartford ss.

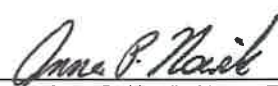
By: 
 Robert L. Raney, Senior Vice President

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

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, **2026**




 Anna P. Nowik, Notary Public

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

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

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

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

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

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **28th** day of **September**, **2023**




 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.



EVIDENCE OF COMMERCIAL PROPERTY INSURANCE

DATE (MM/DD/YYYY)

9/28/2023

THIS EVIDENCE OF COMMERCIAL PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

PRODUCER NAME, CONTACT PERSON AND ADDRESS Lovitt & Touché A Marsh and McLennan Agency, LLC 8605 E. Raintree Drive, Suite 200 Scottsdale, AZ 85260		PHONE (A/C, No, Ext): 602-956-2250	COMPANY NAME AND ADDRESS ACE American Insurance Company P.O. Box 1000 Philadelphia, PA 19106	NAIC NO: 22667
FAX (A/C, No):	E-MAIL ADDRESS: dstreeter@lovitt-touche.com		IF MULTIPLE COMPANIES, COMPLETE SEPARATE FORM FOR EACH	
CODE:	SUB CODE:		POLICY TYPE Builders Risk	
AGENCY CUSTOMER ID #:			LOAN NUMBER	POLICY NUMBER I21052577012
NAMED INSURED AND ADDRESS Haydon Companies, LLC 4640 East Cotton Gin Loop Phoenix, AZ 85040		EFFECTIVE DATE 05/01/2023	EXPIRATION DATE 05/01/2024	CONTINUED UNTIL TERMINATED IF CHECKED ☐
ADDITIONAL NAMED INSURED(S) City of Chandler, and all tiers of Subcontractors and others with an insurable		THIS REPLACES PRIOR EVIDENCE DATED:		

PROPERTY INFORMATION (ACORD 101 may be attached if more space is required) ☒ BUILDING OR ☐ BUSINESS PERSONAL PROPERTY

LOCATION / DESCRIPTION
Blanket Builders Risk / Course of Construction - All Types of Construction - Monthly Reporting Form

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION	PERILS INSURED	BASIC	BROAD	SPECIAL	
COMMERCIAL PROPERTY COVERAGE AMOUNT OF INSURANCE: \$ 50,000,000 DED: See Remarks					
	YES	NO	N/A		
☐ BUSINESS INCOME ☐ RENTAL VALUE			X	If YES, LIMIT:	Actual Loss Sustained; # of months:
BLANKET COVERAGE	X			If YES, indicate value(s) reported on property identified above: \$	
TERRORISM COVERAGE		X		Attach Disclosure Notice / DEC	
IS THERE A TERRORISM-SPECIFIC EXCLUSION?	X				
IS DOMESTIC TERRORISM EXCLUDED?		X			
LIMITED FUNGUS COVERAGE			X	If YES, LIMIT:	DED:
FUNGUS EXCLUSION (If "YES", specify organization's form used)			X		
REPLACEMENT COST	X				
AGREED VALUE			X		
COINSURANCE		X		If YES, %	
EQUIPMENT BREAKDOWN (If Applicable)			X	If YES, LIMIT:	DED:
ORDINANCE OR LAW - Coverage for loss to undamaged portion of bldg			X	If YES, LIMIT:	DED:
- Demolition Costs			X	If YES, LIMIT:	DED:
- Incr. Cost of Construction			X	If YES, LIMIT:	DED:
EARTH MOVEMENT (If Applicable)	X			If YES, LIMIT: Varies	DED: Varies
FLOOD (If Applicable)	X			If YES, LIMIT: Varies	DED: Varies
WIND / HAIL INCL ☐ YES ☐ NO Subject to Different Provisions:			X	If YES, LIMIT:	DED:
NAMED STORM INCL ☐ YES ☐ NO Subject to Different Provisions:			X	If YES, LIMIT:	DED:
PERMISSION TO WAIVE SUBROGATION IN FAVOR OF MORTGAGE HOLDER PRIOR TO LOSS			X		

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

CONTRACT OF SALE	LENDER'S LOSS PAYABLE	☒ LOSS PAYEE	LENDER SERVICING AGENT NAME AND ADDRESS
MORTGAGEE	☒ Additional Insured		
NAME AND ADDRESS City of Chandler Law Risk Management Department P.O. Box 4008 Mailstop 628 Chandler, AZ 85225			AUTHORIZED REPRESENTATIVE <i>Dennis M. Tsongis</i>

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AGENCY CUSTOMER ID: _____

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

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AGENCY Lovitt & Touché A Marsh and McLennan Agency, LLC		NAMED INSURED Haydon Companies, LLC 4640 East Cotton Gin Loop Phoenix, AZ 85040	
POLICY NUMBER I21052577012		EFFECTIVE DATE: 05/01/2023	
CARRIER ACE American Insurance Company	NAIC CODE 22667		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 28 **FORM TITLE:** EVIDENCE OF COMMERCIAL PROPERTY INSURANCE

REMARKS:

Limits & Deductibles based on construction Type - Four Wall Buildings - New Construction

- Fire Resistive; Masonry/Non Combustible; Non Combustible and Tilt up- Non Combustible Roof- \$50,000,000 limit - with \$5,000 deductible, except \$10,000 when construction values greater than \$15,000,000
- Tilt up construction with Wood Roof and Joisted Masonry - \$10,000,000 limit, with \$10,000 deductible
- Hybrid Construction and Frame Construction - \$5,000,000 limit with \$10,000 deductible
- Renovation work deductible \$25,000
- Sitework \$25,000,000 limit with \$5,000 deductible
- Highways and roadway at Grade - \$25,000,000 limit with \$10,000 deductible
- Water Damage included all construction types - \$50,000 deductible

FLOOD

- Hazard Group 1 - 100 Year Flood Zone- Sublimit of \$10,000,000 with a deductible of 5% Min \$250,000 Deductible
- Hazard Group 2 - 500 Year Flood Zone - Sublimit of \$25,000,00 with a deductible of 2% Min \$50,000 Deductible
- Hazard Group 3 - Other Areas - Sublimit of \$25,000,000 with a \$50,000 deductible

EARTHQUAKE - Arizona and New Mexico project sites
 -Sublimit of \$25,000,000 with \$50,000 deductible

SOFT COSTS

- Limit of \$500,000 with 30 day waiting period

City of Chandler and all tiers of Subcontractors and others with an insurable interest are named insured per Endorsement ACE0728 10/15 attached