



*Service and Good Work...
Our Foundation, Our Future
Since 1946*

December 28, 2021

Mike Reso
City Project Manager
City of Diamondhead Public Works
5000 Diamondhead Circle
Diamondhead, Mississippi 39525

**Re: NRCS Channel Stabilization at Diamondhead @ Alkii Way –
Change Order No. 4 (Summary), Pay Application No. 7 (Final), & Close-out Documents**

Mr. Reso:

ERS, Inc. has completed construction of the above referenced project and all punch list items. Please find the enclosed final documents for your review and approval.

- Signed Change Order No. 4 (Summary) with the justification
- Signed Pay Application No. 7 (Final)

Pickering is recommending approval of Change Order No. 4 (Summary) for a \$2,665.33 INCREASE to the contract. This will increase the contract amount from \$382,971.71 to \$385,637.04. Substantial completion date remains November 3, 2021. Pickering is also recommending approval of Pay Application No. 7 (Final) in the amount of \$21,824.09 (representing a release of retainage only). Please review and place Change Order No. 4 (Summary) and Pay Application No. 7 (Final) on the Agenda for the next City Council meeting.

Also enclosed for your records are the following close-out documents as required by the contract documents:

- Certificate of Insurance reflecting Completed Operations Coverage
- Consent of Surety to Final Payment
- Contractor's Affidavit of Release of Lien
- Contractor's Affidavit of Payment of all Debts and Claims
- Contractor's List of Claims Against Owner
- As-built drawings

Should you need any additional information or clarification, please, contact me at (228) 432-5925 or email: kcoulon@pickeringfirm.com.

Sincerely,
PICKERING FIRM, INC.

A blue ink signature of Koby Coulon, written in a cursive style.

Koby Coulon, PE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/2/2021

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

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 1076 Highland Colony Parkway, Suite 300 Ridgeland MS 39157	CONTACT NAME: Rita Clark	FAX (A/C, No): 601-605-4082	
	PHONE (A/C, No, Ext): 601-605-3133	E-MAIL ADDRESS: Rita_Clark@ajg.com	
INSURED ERS, Inc. 1635 Lelia Drive Suite #202 Jackson MS 39216	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: The Travelers Indemnity Company of CT		25682
	INSURER B: Travelers Property Casualty Co of America		25674
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** 570875291 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT 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 CERTIFICATE 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.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			4TCO4C524184TCT21	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			BA0L843419212SG	11/1/2021	11/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUP7H570344212S	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	UB0K166617212SG	2/8/2021	2/8/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Inland Marine Installation Floater			QT6604241L866TIL21	11/1/2021	11/1/2022	Rented/Leased R/L Ded Installation \$200,000 \$1,000 \$275,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Installation Floater deductible is \$1,000
Project: Debris Removal & Disposal Services - Hurricane Zeta

CERTIFICATE HOLDER City of Diamondhead 5000 Diamondhead Circle Diamondhead MS 39525 USA	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. AUTHORIZED REPRESENTATIVE
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SURETEC INSURANCE COMPANY

2103 CityWest Boulevard, Suite 1300
Houston, TX 77042

CONSENT OF SURETY TO FINAL PAYMENT

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
SURETY	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

BOND NO.: 4441417

TO OBLIGEE: City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39625

CONTRACT FOR: NRCS Grant –
Channel Stabilization at Diamondhead
Drive @ ALKII Way;
NR204423XXXXC080, Diamondhead,
MS

PROJECT: NRCS Grant – Channel Stabilization at
Diamondhead Drive @ ALKII Way;
NR204423XXXXC080, Diamondhead, MS

CONTRACT DATED:

PRINCIPAL: ERS, Inc
1635 Lelia Dr, Ste 202
Jackson, MS 39216

At the request of the Obligee and the Principal indicated above, *(Insert name and address of Surety)*

SureTec Insurance Company, 2103 CityWest Boulevard, Suite 1300, Houston, TX
77042

, SURETY,

on bond of ERS, Inc,
1635 Lelia Dr, Ste 202
Jackson, MS 3216

CONTRACTOR,

and conditioned on the representation by Obligee that all Contract provisions relating to the payment of final payment under the Contract have been satisfied by Principal as of the date of final payment, and that no claims by Obligee or any third party are known or believed by Obligee or its representatives to exist as of the date of final payment, representations as to the truth and accuracy of the foregoing conditions being deemed to have been made by Obligee in connection with this request for Consent of Surety, hereby approves of the final payment to the Principal, and agrees that final payment in accordance with the terms hereof shall not relieve the Surety of its obligations to

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS

, OBLIGEE,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date December 6, 2021
(Insert in writing the month followed by the numeric date and year.)

SureTec Insurance Company

John G. Raines, Attorney-in-Fact

Attest:
(Seal):



SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Sherrill A. Kelley, David Ray Robertson, Jessica Windham, John E. Marchetti, John G. Raines,
Kelli Burnum, Rita G. Clark, William D. Horne Jr., William D. Horne, III, Rane Martin

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Twenty Five Million and 00/100 Dollars (\$25,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 29th day of September, A.D. 2021.

SURETEC INSURANCE COMPANY

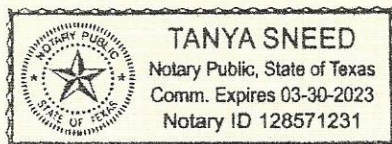
By: 
Michael C. Keimig, President

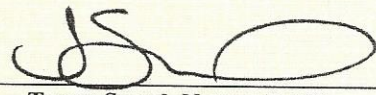


State of Texas
County of Harris

SS:

On this 29th day of September, A.D. 2021 before me personally came Michael C. Keimig, to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; 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 Company; and that he signed his name thereto by like order.





Tanya Sneed, Notary Public
My commission expires March 30, 2023

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 6th day of December, 2021, A.D.


M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.

**CONTRACTOR'S AFFIDAVIT
OF
RELEASE OF LIENS**

TO: CITY OF DIAMONDHEAD

5300 DIAMONDHEAD CIRCLE
DIAMONDHEAD, MS 39525

PROJECT: DIAMONDHEAD NRCS GRANT-CHANNEL
STABILIZATION
AT DIAMONDHEAD DRIVE @ ALKII WAY
NRCS204423XXCO80
DIAMONDHEAD, MISSISSIPPI
PICKERING FIRM, INC. PROJECT NO. 25748.00

CONTRACT
DATED: June 9, 2021

CONTRACT
AMOUNT: ~~\$387,026.49~~ ¹² 386,637.04
(Includes Change Orders)

STATE OF: MISSISSIPPI
COUNTY: HANCOCK

The undersigned hereby certifies that, to the best of the undersigned's knowledge, information and belief, except as listed below, the release of Waivers attached hereto including the Contractor, all sub-contractors, all suppliers of materials and equipment, and all performers of work, labor or services who may have liens of 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: NONE.

CONTRACTOR: ERS, INC.
1635 LELIA DRIVE, SUITE #202, JACKSON, MS 39216

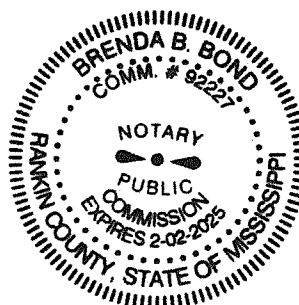
SIGNED BY: TODD ROBERTS, PRESIDENT



Subscribed and sworn to before me on this date: 12-2-2021

Notary Public: Brenda B. Bond

Commission Expires: 2-2-2025



**CONTRACTOR'S AFFIDAVIT
OF
PAYMENT OF DEBTS & CLAIMS**

TO: CITY OF DIAMONDHEAD

5300 DIAMONDHEAD CIRCLE
DIAMONDHEAD, MS 39525

PROJECT: DIAMONDHEAD NRCS GRANT-CHANNEL
STABILIZATION
AT DIAMONDHEAD DRIVE @ ALKII WAY
NRCS204423XXXCO80
DIAMONDHEAD, MISSISSIPPI
PICKERING FIRM, INC. PROJECT NO. 25748.00

CONTRACT
DATED: June 9, 2021

CONTRACT
AMOUNT: ~~\$387,026.49~~ ^{FE} 385,637.00
(Includes Change Orders)

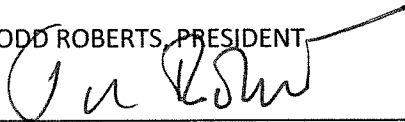
STATE OF: MISSISSIPPI
COUNTY: HANCOCK

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: RETAINAGE

CONTRACTOR: ERS, INC.
1635 LELIA DRIVE, SUITE #202, JACKSON, MS 39216

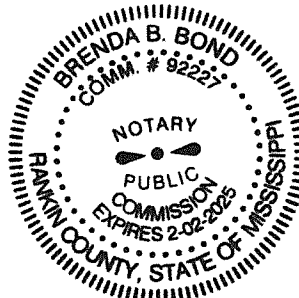
SIGNED BY: TODD ROBERTS, PRESIDENT



Subscribed and sworn to before me on this date: 12-2-2021

Notary Public: Brenda B. Bond

Commission Expires: 2-2-2025



**CONTRACTOR'S AFFIDAVIT
OF
LIST OF CLAIMS AGAINST OWNER**

TO: CITY OF DIAMONDHEAD

5300 DIAMONDHEAD CIRCLE
DIAMONDHEAD, MS 39525

PROJECT: DIAMONDHEAD NRCS GRANT-CHANNEL
STABILIZATION
AT DIAMONDHEAD DRIVE @ ALKII WAY
NRCS204423XXXXCO80
DIAMONDHEAD, MISSISSIPPI
PICKERING FIRM, INC. PROJECT NO. 25748.00

CONTRACT
DATED: June 9, 2021

CONTRACT
AMOUNT: ~~\$387,026.49~~ 385637.01 *h*
(Includes Change Orders)

STATE OF: MISSISSIPPI
COUNTY: HANCOCK

The undersigned hereby certifies that there are "NO" Claims against Owner.

EXCEPTIONS: NONE.

CONTRACTOR: ERS, INC.
1635 LELIA DRIVE, SUITE #202, JACKSON, MS 39216

SIGNED BY: TODD ROBERTS, PRESIDENT



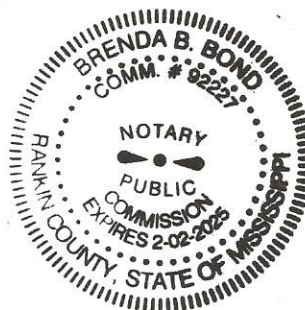
Subscribed and sworn to before me on this date: 12-20-21

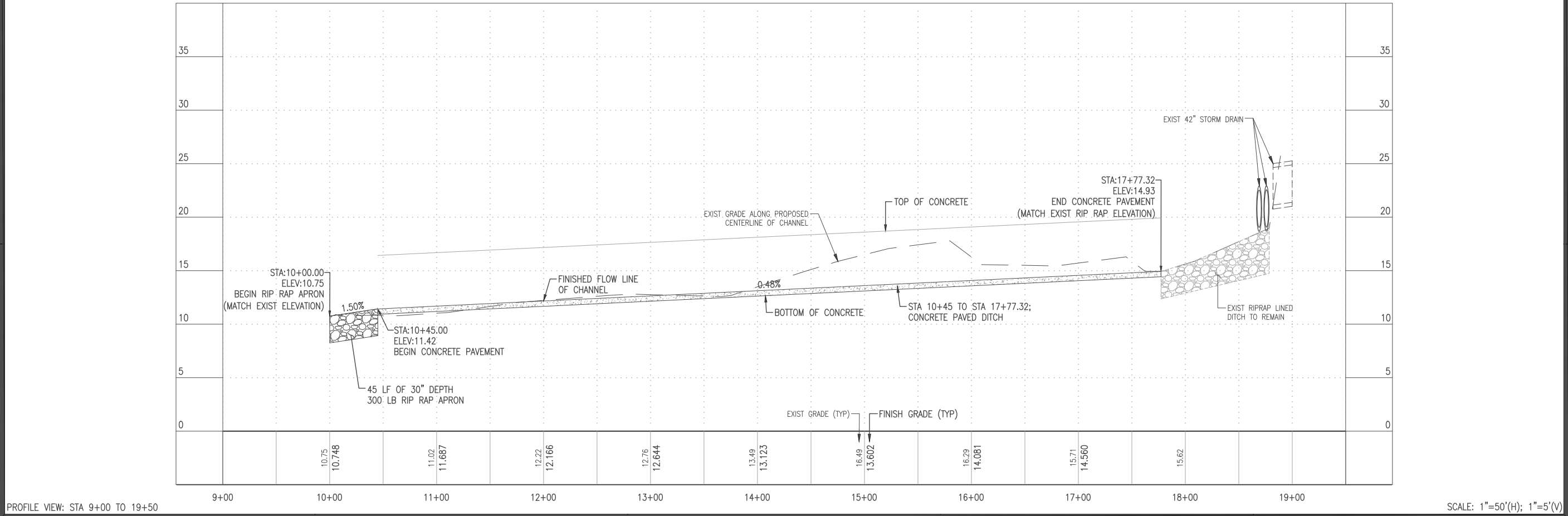
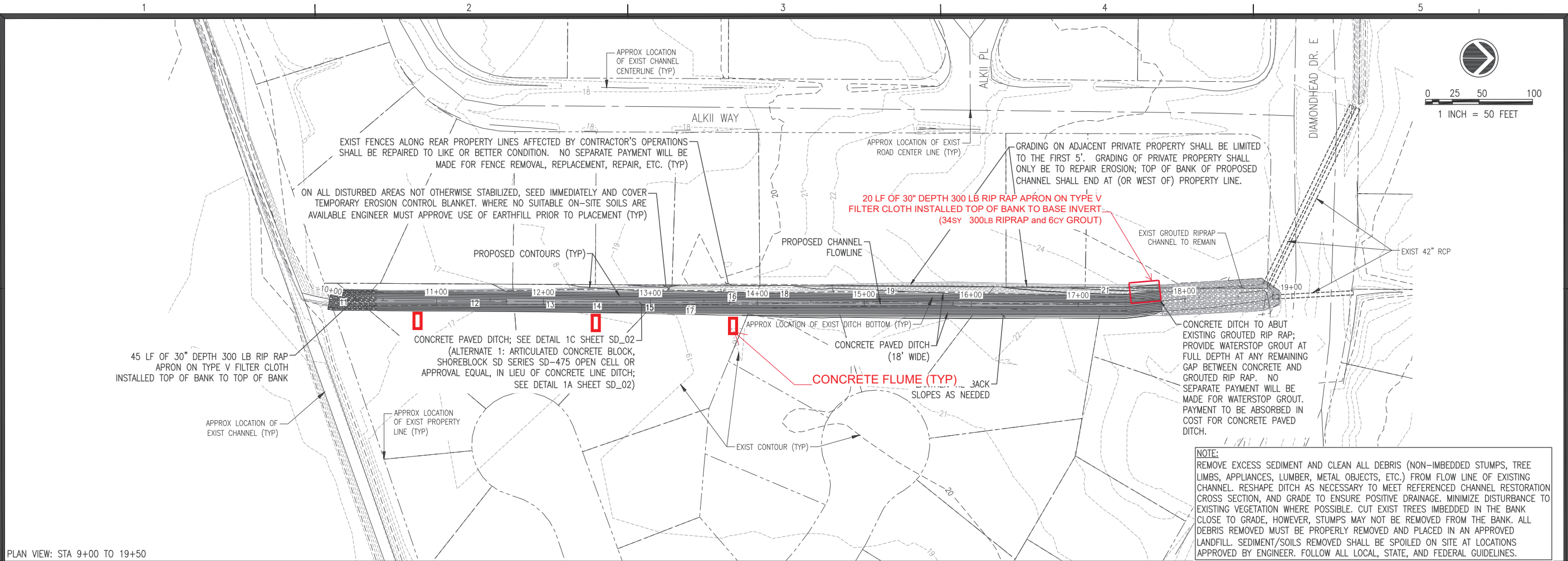
Notary Public:



Commission Expires:

2-2-2025





REVISIONS:

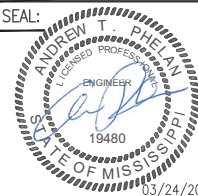
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PROJECT #: 25748.00
DATE: MARCH 2021
DRAWN BY: MLS
DESIGNER: CBW
CHECKED BY: ATP



NRCS GRANT-CHANNEL STABILIZATION
AT DIAMONDHEAD DRIVE @ ALKII WAY

DIAMONDHEAD, MISSISSIPPI



SHEET NUMBER:

PP_01

DESCRIPTION:
PLAN & PROFILE