

Monday, October 9, 2023

Mayor Wil Kennedy
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.-
Iowa Colony, TX 77553

Re: Brazoria County Municipal Utility District No. 55 - Water Plant No. 1 Expansion
Recommendation for Approval into One Year Maintenance Period
City of Iowa Colony Project No. CSW 211104-1929
Adico, LLC Project No. 16007-4-420

Dear Mayor Kennedy and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of Brazoria County MUD 55 Water Plant No. 1 Expansion. The final inspection was held September 21, 2023, and all punch list items were completed October 5, 2023.

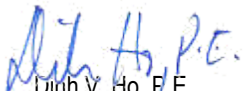
Based on our review of the closeout documents provided, Adico, LLC recommends approval of the BCMUD 55 Water Plant No. 1 Expansion facility into the One-Year Maintenance Period. The maintenance period shall be effective October 16, 2023, if approved by City Council.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the One-Year Maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond
3. As-Builts (cover only)

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC


Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-420

CITY OF IOWA COLONY Certification of Infrastructure

CERTIFICATION OF INFRASTRUCTURE FOR:
BCMUD No. 55 - Water Plant No. 1 Expansion

(Project Name)

I, Paul Anderson, P.E.

(Name of Licensed Engineer)

a Licensed Professional Engineer in the State of Texas , do hereby certify that all the paving, drainage, sanitary and water infrastructure has been built in compliance with the City of Iowa Colony Engineering Design and Criteria Manual the Engineer of Records Construction Documents. In addition, the infrastructure meets the required specifications based on our field investigation, inspections and evaluation of and approval of testing of infrastructure.

Engineer's Seal



Engineer's Signature
EHRA

Licensed Engineering Firm Name
10011 Meadowglen Lane

Address
Houston, Texas 77042

City, State and Zip Code
713-784-4500

Phone No.

**CITY OF IOWA COLONY
MAINTENANCE BOND**

1. The following terms shall have the following meanings in this document:

a. Bond Number: PRF9386399

b. Principal: Gilleland Smith Construction, Inc.

c. Surety:

Name: Colonial American Casualty and Surety Company

State Where Surety is Incorporated: Illinois

d. Oblige(e)s: Brazoria County Municipal Utility District No. 55 and City of Iowa Colony, Texas (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Oblige(e), so leave this line blank.)

If there is more than one Oblige(e), then the terms "Oblige(e)" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

e. Contract: The Contract described as follows:

Date: _____

Parties: Gilleland Smith Construction, Inc. and City of Iowa Colony

Subdivision involved: Water Plant No. 1 Expansion

General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.):
Water Plant No. 1 Expansion

This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

f. Bond Amount: \$1,116,750.00

g. Maintenance Period:

Starting Date of Maintenance Period: _____

(Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

Ending Date of Maintenance Period: two years after the Starting Date

- h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.
- 2. Principal has entered into the Contract.
- 3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Oblige, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.
- 4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligee any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.
- 5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.
- 6. If there is more than Oblige under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: _____

SURETY:

Colonial American Casualty and Surety Company
 2000 W. Sam Houston Parkway, S., Suite 900
 Houston, Texas 77042
 713-787-5937

By: 
 Signature

Roxanne G. Brune
 Print or Type Signer's Name

Attorney-in-Fact
 Signer's Title

PRINCIPAL:

Gilleland Smith Construction, Inc.
 P.O. Box 20209
 Houston, Texas 77225
 281-676-8231

By: 
 Signature

Damon P. Gilleland
 Print or Type Signer's Name

President
 Signer's Title

ATTACH POWER OF ATTORNEY

**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 **Beverly A. IRELAND, Kurt A. RISK, Francine HAY, Roxanne G. BRUNE, Sharon CAVANAUGH, Sharen GROPPPELL and Gloria M. VILLA, all of Houston, Texas**, EACH 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, EXCEPT bonds on behalf of Independent Executors, Community Survivors and Community Guardians, 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 8th day of July, A.D. 2020.



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 8th day of July, A.D. 2020, 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.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

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 _____ day of _____, _____.



Brian M. Hodges

By: Brian M. Hodges
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
www.reportsfclaims@zurichna.com
800-626-4577



Fidelity and Deposit Companies

Home Office: 3910 Keswick Road Baltimore, MD 21211

IMPORTANT NOTICE

To obtain information or make a complaint:

You may call the Fidelity and Deposit Company of Maryland, Colonial American Casualty and Surety Company, and/or Zurich American Insurance Company's toll-free telephone number for information or to make a complaint at:

1-800-654-5155

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights, or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance:

**P.O. Box 149104
Austin, TX 78714-9104
FAX # (512) 475-1771**

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning the premium or about a claim, you should first contact Fidelity and Deposit Company of Maryland or Colonial American Casualty and Surety Company. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY: This notice is for information only and does not become a part or condition of the attached document.

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 55

WATER PLANT NO. 1 EXPANSION

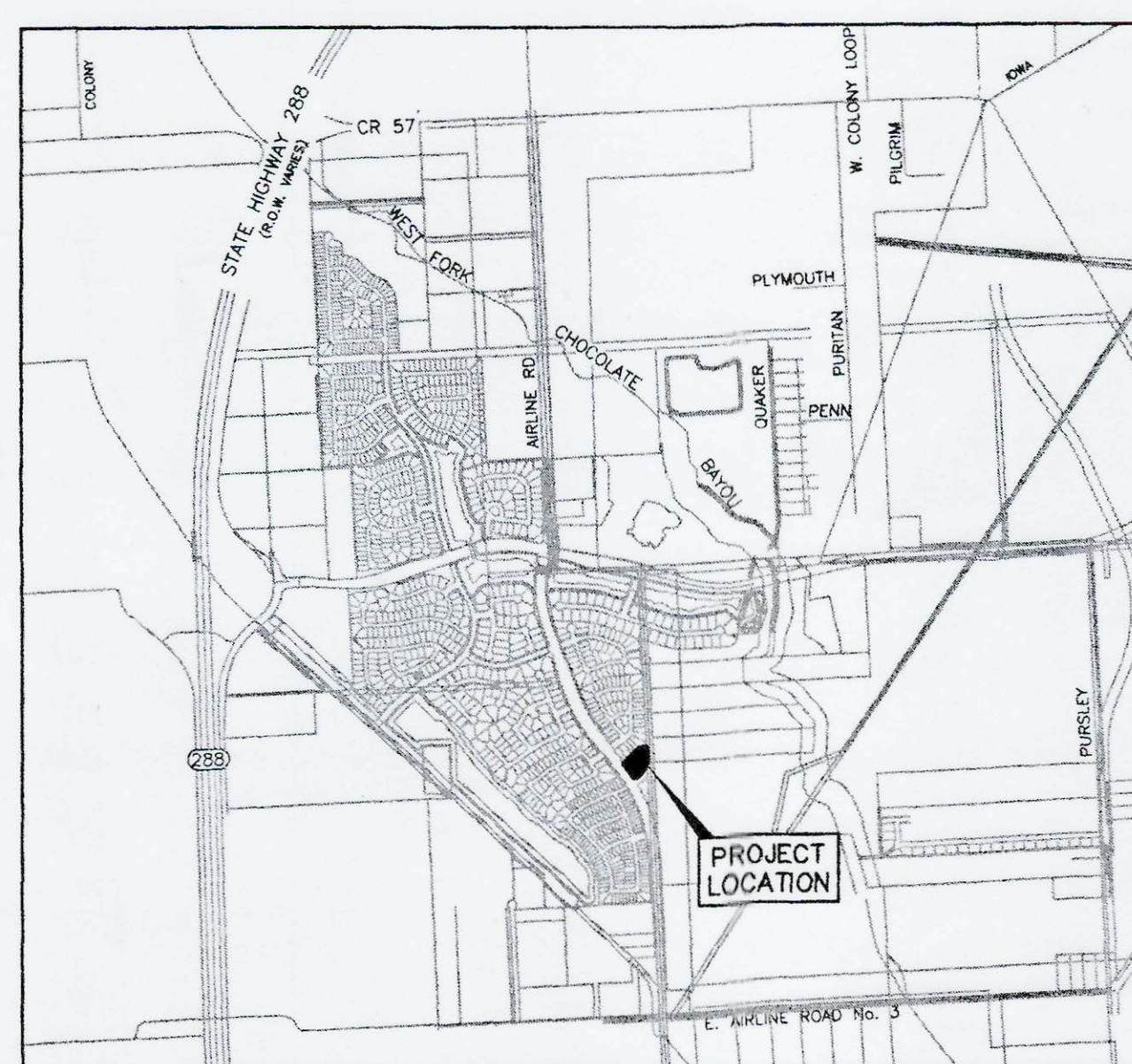
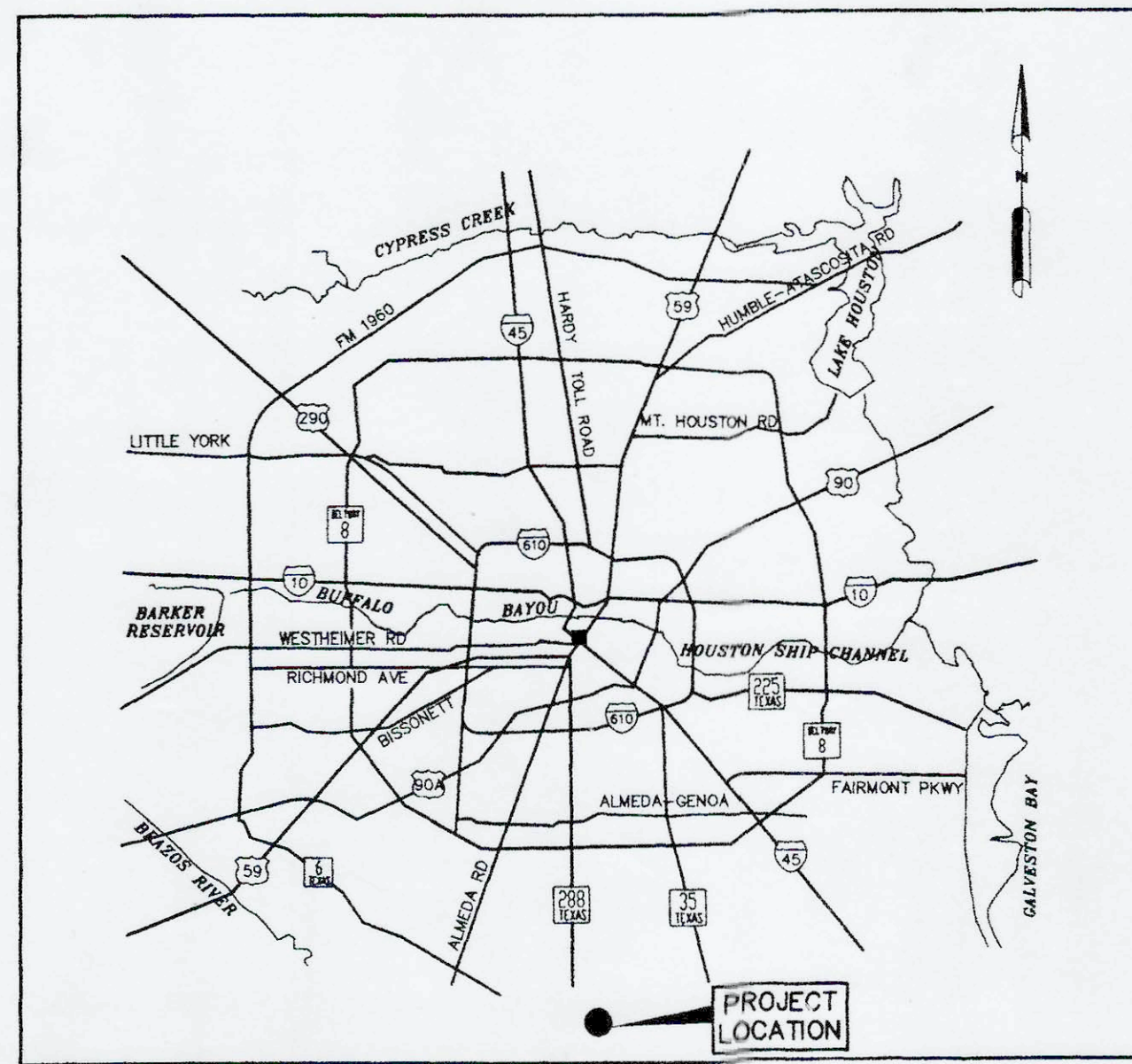
IOWA COLONY, TEXAS

PCTS By: T. Kelsay J.K.
9/13/23 C.O.Kat
R/GPS DL/2007/071-043-13/WP PCTS 9-13-23 Te

GATE Cor 80 044
071-043-13G

PRINTED
SEP 06 2023

RECORD DRAWINGS			
PRELIMINARY (UNDER REVIEW)	9-11-23	DATE	
<input type="checkbox"/> SURVEY		DATE	INITIALS
<input type="checkbox"/> CPS			
<input checked="" type="checkbox"/> ENGINEER	10/10/23	PA	
<input type="checkbox"/> FINAL		DATE	INITIALS



SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GENERAL NOTES
3	SERVICE AREA MAP
4	SITE PLAN AND GEOMETRIC LAYOUT
5	SITE LAYOUT AND PIPING PLAN
6	GROUND STORAGE TANK DETAILS (1 OF 4)
7	GROUND STORAGE TANK DETAILS (2 OF 4)
8	GROUND STORAGE TANK DETAILS (3 OF 4)
9	GROUND STORAGE TANK DETAILS (4 OF 4)
10	CONTROL BUILDING PIPING PLAN
11	MISCELLANEOUS DETAILS
12	STORM WATER POLLUTION PREVENTION PLAN AND DETAILS
13	E1-ELECTRICAL SITE PLAN
14	E2-ENLARGED ELECTRICAL & DETAILS
15	E3-ENLARGED ELECTRICAL & DETAILS (2)
16	E4-ELECTRICAL CONTROLS (A)
17	E5-ELECTRICAL CONTROLS (B)
18	E6-ELECTRICAL CONTROLS (C)
19	E7-BOOSTER PUMP UPGRADE
20	E8-ELECTRICAL ABBREVIATIONS

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.

Mike Brown 08152022
MICHAEL BYRUM BRASTEN, MAYOR DATE

[Signature] 08152022
DANN HO, P.E., CITY ENGINEER DATE

CITY OF IOWA COLONY

NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

NOTE:
CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY c/o Adico, LLC (Dinh V. Ho, P.E. ☎ 832-895-1093 OR inspections@adico-llc.com) 48 HOURS BEFORE COMMENCING WORK.

APPROVED BY BRAZORIA COUNTY DRAINAGE DISTRICT # 5

Lee Walden 7/11/22 DATE
LEE WALDEN, P.E. PRESIDENT

Kerry L. Osburn 7/11/22 DATE
KERRY L. OSBURN VICE PRESIDENT

Brandon Middleton 7/11/22 DATE
BRANDON MIDDLETON SECRETARY/TREASURER

Jarrold D. Aden 7/11/22 DATE
JARROLD D. ADEN, P.E., C.F.M. DISTRICT ENGINEER

NOTE: PROJECT FIELD STARTUP WILL START WITHIN 365 CALENDAR DAYS FROM DATE HERE SHOWN. CONTINUOUS AND REASONABLE FIELD SITE WORK IS EXPECTED.

BCDD 5 I.D. # B220011

Design Completed by BP Date 12/21
Model Completed by N/A Date N/A
Order Checked by N/A Date N/A
Engineer Checked by SY Date 12/21
Submittal Review by [Signature] Date
Plans Approved by [Signature] Date

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUEST
48 HOURS NOTICE BEFORE YOU DIG, DRILL,
OR BLAST - STOP CALL
Texas One Call System
1-800-344-8377
(713)223-4567 (IN HOUSTON)

OWNER
MR. HOUSTON HAMILTON
BRAZORIA COUNTY MUD 55
C/O ALLEN BOONE HUMPHRIES ROBINSON LLP
3200 SOUTHWEST FWY STE 2600
HOUSTON, TEXAS 77027-7537
PH (713) 800-6400

JUNE 7, 2022

10011 Meadowglen Lane
Houston, Texas 77042
EHRAinc.com | 713.784.4500
TBPE No. F-726 | TBPLS No. 10092300

ENGINEERING THE FUTURE
SINCE 1936

