



# ST. CHARLES PARISH

## OFFICE OF THE COUNCIL SECRETARY

P.O. BOX 302 • HAHNVILLE, LOUISIANA 70057

(985) 783-5000 • Fax: (985) 783-2067

www.stcharlesparish-la.gov

July 10, 2020

Honorable Lance Marino  
Clerk of Court  
P.O. Box 424  
Hahnville, LA 70057

Re: Filing – Paradis Canal Flood Control Contract

Dear Mr. Marino:

Ordinance No. 20-5-2 along with the Notice of Contract for the Paradis Canal Flood Control Structure project was filed on Monday, May 4, 2020; Entry No. 448858, Mortgage Book No. 1860, Page 703. Please have this correspondence along with the enclosed Performance Bond, Payment Bond, Power of Attorneys, and correspondence dated February 24, 2020 authorizing the parish to date the bonds, filed and referenced in the margin of Mortgage Book No. 1860, Page 703.

Sincerely,

MICHELLE IMPASTATO  
COUNCIL SECRETARY

Enclosure

MI/sm

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE

ON July 10, 2020

AS ENTRY NO. 450320

IN MORTGAGE/CONVEYANCE BOOK

NO. 1872 FOLIO 377

**SECTION 00611**

**PERFORMANCE BOND**

Sealevel Construction, Inc.

1069 Highway 3185, Thibodaux, LA 70301

as Principal, and Arch Insurance Company

a surety company or companies authorized to do business in Louisiana, as Surety, are bound, in solido, unto

St. Charles Parish

in the sum of

Five Million Thirty-Six Thousand One Hundred Sixty Nine and No/100--DOLLARS (\$ 5,036,169.00 ),

payable in lawful money of the United States, in order to secure the full and faithful performance and timely completion of the project described below according to its plans and specifications, including, but not limited to the payment of stipulated damages as specified in the contract, and to this bond do obligate their heirs, successors and assigns. In the case of cosureties, the cosureties assume an obligation in the sum of

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_ ),

for \_\_\_\_\_ and

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_ ),

for \_\_\_\_\_

The consideration of this bond is such, that if the Principal shall perform this contract, made and entered into

on the 8<sup>th</sup> day of May, 20 20,

to construct Parish Project No. P080905-10A State Project No. (if applicable) \_\_\_\_\_

entitled Paradis Flood Control Structure

Parish St. Charles, consisting of Construction of a Drainage Pump Station

according to the stipulations in said contract attached hereto and made a part hereof, at the time and in the manner and form specified; perform all labor and work; and shall furnish all materials as specified in said contract, and the plans a specifications thereto attached and made a part thereof; this obligation shall be void; otherwise to remain in effect.

It is agreed by the parties that this bond is given in accordance with Louisiana Revised Statutes of 1950, Title 38, Chapter 10.

In faith whereof, we have subscribed this obligation at Thibodaux, Louisiana

Witness our hands and seals, this 8<sup>th</sup> day of May, 2020,

Witness

Amanda R. Taylor  
Loren Scott

Debbie Denaway  
Darlene Landry

Sealevel Construction, Inc.  
**Principal**

By [Signature] (Seal)

Richard J. Roth, President  
Type or Printed Name

Arch Insurance Company  
**Surety**

By [Signature] (Seal)  
Attorney-in-Fact

Susan Skrmetta, Attorney-In-Fact  
Type or Printed Name

**Second Surety**

By \_\_\_\_\_ (Seal)

Attorney-in-Fact

\_\_\_\_\_  
Type or Printed Name

Louisiana Resident Countersigning Agent:

[Signature]  
Charles E. Reagin, III - License #232446  
BXS Insurance  
P. O. Box 3809, Baton Rouge, LA 70809

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON BLUE BACKGROUND.**

*This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.*

## POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Dewey B. Mason, Jim E. Brashier, Kathleen B. Scarborough, Loren R. Howell, Jr., Susan Skrmetta and Troy P. Wagener of Biloxi, MS (EACH)

Kimberly B. Barhum, David Robin Fortenberry, Mary Jones Norval and Richard Teb Jones of Hattiesburg, MS (EACH)

Joseph R. Beattie, Lisa R. Butler and Patrick T. Mason of Gulfport, MS (EACH)

Andrew P. Underwood of Mobile, AL

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (90,000,000.00).

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on September 15, 2011:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.

**SECTION 00610**

**PAYMENT BOND**

Sealevel Construction, Inc.

1069 Highway 3185, Thibodaux, LA 70301

as Principal, and Arch Insurance Company

a surety company or companies authorized to do business in Louisiana, as Surety, are bound, in solido, unto St. Charles Parish

and unto all subcontractors, workmen and furnishers of materials and equipment, jointly in the sum of Five Million Thirty-Six Thousand One Hundred Sixty Nine and No/100--DOLLARS (\$ 5,036,169.00 ),

payable in lawful money of the United States, and to this bond do obligate their heirs, successors and assigns. In the case of cosureties, the cosureties assume an obligation in the sum of

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_ ),

for \_\_\_\_\_ and

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_ ),

for \_\_\_\_\_

The consideration of this bond is such, that if the Principal shall perform this contract, made and entered into on the

8<sup>th</sup> day of May, 2020,

to construct Parish Project No. P080905-10A State Project No (If Applicable) \_\_\_\_\_

entitled Paradis Flood Control Structure Parish St. Charles Parish, consisting of the construction of a Drainage Pump Station according to the stipulations in said contract attached hereto and made a part hereof, pay all sums due on materials and supplies used and for wages earned by workmen employed on the work; this obligation shall be void; otherwise to remain in effect.

It is agreed by the parties that this bond is given in accordance with Louisiana Revised Statutes of 1950, Title 38, Chapter 10.

In faith whereof, we have subscribed this obligation at Thibodaux, Louisiana

Witness our hands and seals, this 8<sup>th</sup> day of May, 2020,

Witness

Amanda R. Taylor  
Karen Scott

Debbie Dunaway  
Pauline Landry

\_\_\_\_\_  
\_\_\_\_\_

Sealevel Construction, Inc.

**Principal**

By [Signature] (Seal)

Richard J. Roth, President

Type or Printed Name

Arch Insurance Company

**First Surety**

By [Signature] (Seal)

Attorney-in-Fact

Susan Skrmetta, Attorney-In-Fact

Type or Printed Name

**Second Surety**

By \_\_\_\_\_ (Seal)

Attorney-in-Fact

Type or Printed Name

Louisiana Resident Countersigning Agent:

[Signature]  
Charles E. Reagin, III - License #232446

BXS Insurance

P. O. Box 3809, Baton Rouge, LA 70809

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This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

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VOTED: That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.



February 24, 2020

St. Charles Parish  
100 River Oaks Drive  
HDestrehan, LA 70047

Reference: Contractor: Sealevel Construction, Inc.  
Project: Paradis Flood Control Structure  
Bond No.: SU1164379  
Contract Amount: \$5,036,169.00

Gentlemen:

This letter is authorization for St. Charles Parish to date the above referenced Performance and Payment Bonds and Powers of Attorney at the time of execution of the referenced contract by St. Charles Parish.

Sincerely,

A handwritten signature in cursive script that reads "Susan Skrmetta".

Susan Skrmetta  
Attorney-In-Fact for Arch Insurance Company