

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	October 31, 2023	Meeting Date:	Nov. 6, 2023
Contact Information:			
Requested by:	Joanna Tennell		
On Behalf of Organization or Individual: Platinum Properties			
Telephone:	317-736-3631		
Email address:	jtennell@franklin.in.gov		
Mailing Address:	70 E. Monroe Street, Franklin, IN 46131		
Describe Request:			
Request the following Performance Bonds be released and replaced with the following Performance & Maintenance Bonds along with Maintenance Rider to be accepted for Westwind at Cumberland, Sec. 1:			
<u>Performance Bonds to be Released:</u> 47SUR300214010570: Street trees, landscaping & street lights - \$128,100.00 4172327: Earthwork & erosion control - \$237,161.46 4172328: Streets - \$546,064.20 47SUR300214010573: Sidewalks - \$336,727.20 4172329: Survey monuments & street signs - \$28,260.00			
<u>Performance Bond to be Accepted:</u> 5361314: Earthwork - \$207,852.66			
<u>Maintenance Bonds to be Accepted:</u> 5072866: Erosion control - \$6,106.00 5072865: Streets - \$113,763.38 5072867: Sidewalks - \$28,146.50 5072868: Survey monuments & street signs - \$5,516.25			
<u>Maintenance Bond Rider to be Accepted:</u> 4172330: Storm sewers, swales & underdrains - Change bond amount from \$84,314.35 to \$82,902.30			
List Supporting Documentation Provided:			
1. Subdivision Performance Bonds (originals to be provided at meeting)			
2. Subdivision Performance Bond, Maintenance Bonds & Rider			
Who will present the request?			
Name:	Joanna Tennell	Telephone:	317-736-3631

Subdivision Performance Bond

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than TWELVE

No. 0 22228

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
MICHAEL J. MARSELLA	GINGER J. KRAHN	ALL
MICHAEL H. BILL	ROBERT BAUMGARTNER	\$100,000,000
EDWARD L. MOURNIGHAN	KIMBERLY E. KINKEAD	
BRENDA JOHNSTON	REBECCA A. VIRT	
CYNTHIA L. JENKINS	CINDY L. STELLHORN	
ELEXIS RICHARDS	EMILY DAUGHETEE	

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 11TH day of AUGUST, 2023

GREAT AMERICAN INSURANCE COMPANY



Assistant Secretary

Stephen C. Beraha

Mark Vicario

MARK VICARIO (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 11TH day of AUGUST, 2023, before me personally appeared MARK VICARIO, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



SUSAN A KOHORST
Notary Public
State of Ohio
My Comm. Expires
May 18, 2025

Susan A Kohorst

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 25th day of October, 2023



Stephen C. Beraha

Assistant Secretary



Subdivision Maintenance Bond

Bond Number 5072866
Project Name Westwind at Cumberland, Section 1
Improvements Erosion Control

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

Developer's Company Name Platinum Properties Management Company, LLC as Principal
Developer's Company Address 9757 Westpoint Drive, Suite 600 Indianapolis, Indiana 46256 and
Surety Company Name Great American Insurance Company
Surety Company Address 12906 Shelbyville Road, Suite 100, Louisville, KY 40243 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of Six Thousand One Hundred Six and No/100ths Dollars,
(\$6,106.00) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 25th DAY OF October, 2023. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, (Platinum Properties Management Company, LLC) has installed and completed improvements of
(Westwind at Cumberland, Section 1 - Erosion Control)

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if (Platinum Properties Management
Company, LLC), at its own expense for a period of three (3) years from the date of acceptance by the City of
Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or
materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Platinum Properties Management Company, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) STEVEN R. EDWARDS VP-CFO

BY: Surety Company Name Great American Insurance Company
Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Emily Daughnetee

Accepted by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Board Member Board Member Board Member

ATTEST: Clerk-Treasurer

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MICHAEL H. BILL	ROBERT BAUMGARTNER	\$100,000,000
EDWARD L. MOURNIGHAN	KIMBERLY E. KINKEAD	
BRENDA JOHNSTON	REBECCA A. VIRT	
CYNTHIA L. JENKINS	CINDY L. STELLHORN	
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GREAT AMERICAN INSURANCE COMPANY



Assistant Secretary

Stephen C. Beraha

Mark Vicario

MARK VICARIO (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 11TH day of AUGUST, 2023, before me personally appeared MARK VICARIO, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



SUSAN A KOHORST
Notary Public
State of Ohio
My Comm. Expires
May 18, 2025

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CERTIFICATION

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Signed and sealed this 25th day of October, 2023



Stephen C. Beraha

Assistant Secretary



Subdivision Maintenance Bond

Bond Number 5072865
Project Name Westwind at Cumberland, Section 1
Improvements Streets

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

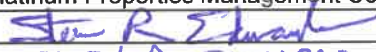
Developer's Company Name Platinum Properties Management Company, LLC as Principal
Developer's Company Address 9757 Westpoint Drive, Suite 600 Indianapolis, Indiana 46256 and
Surety Company Name Great American Insurance Company
Surety Company Address 301 E. 4th Street, Cincinnati, Ohio 45202 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of One Hundred Thirteen Thousand Seven Hundred Sixty-three and 38/100ths
(\$ 113,763.38) Dollars, for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

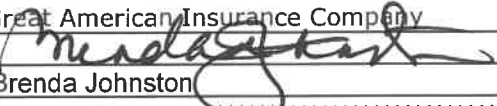
SEALED AND DATED THIS 11th DAY OF October, 2023. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, (Platinum Properties Management Company, LLC) has installed and completed improvements of
(Westwind at Cumberland, Section 1 - Streets)

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if (Platinum Properties Management
Company, LLC), at its own expense for a period of three (3) years from the date of acceptance by the City of
Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or
materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Platinum Properties Management Company, LLC
Signature for Developer's Company 
Signatory Name & Title (printed) STEVEN R. EDWARDS, CHIEF FINANCIAL OFFICER

BY: Surety Company Name Great American Insurance Company
Signature of Attorney-in-Fact 
Attorney-in-Fact (printed) Brenda Johnston

Accepted by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Board Member Board Member Board Member

ATTEST: Clerk-Treasurer

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IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **11TH** day of **AUGUST**, **2023**

Attest

GREAT AMERICAN INSURANCE COMPANY



Atty L C. B.

Assistant Secretary

Mark V. Vicario

Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this **11TH** day of **AUGUST**, **2023**

, before me personally appeared MARK VICARIO, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

MARK VICARIO (877-377-2405)



SUSAN A KOHORST
Notary Public
State of Ohio
My Comm. Expires
May 18, 2025

Susan A Kohorst

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CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **11th** day of **October**, **2023**



Atty L C. B.

Assistant Secretary



Subdivision Maintenance Bond

Bond Number 5072867
Project Name Westwind at Cumberland, Section 1
Improvements Sidewalks

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

Developer's Company Name Platinum Properties Management Company, LLC as Principal
Developer's Company Address 9757 Westpoint Drive, Suite 600 Indianapolis, Indiana 46256 and
Surety Company Name Great American Insurance Company
Surety Company Address 301 E. 4th Street, Cincinnati, Ohio 45202 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of Twenty-Eight Thousand One Hundred Forty-Six and 50/100ths Dollars,
(\$28,146.50) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 11th DAY OF October, 2023. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, (Platinum Properties Management Company, LLC) has installed and completed improvements of
(Westwind at Cumberland, Section 1 - Sidewalks)

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if (Platinum Properties Management
Company, LLC), at its own expense for a period of three (3) years from the date of acceptance by the City of
Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or
materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Platinum Properties Management Company, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) STEVEN R. EDWARDS, CHIEF FINANCIAL OFFICER

BY: Surety Company Name Great American Insurance Company
Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Brenda Johnston

Accepted by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: Jayne Rhoades, Clerk-Treasurer

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Board Member Board Member Board Member

ATTEST: Clerk-Treasurer

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Stephen C. Beraha

Assistant Secretary

Mark Vicario

Divisional Senior Vice President

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Stephen C. Beraha

Assistant Secretary



Subdivision Maintenance Bond

Bond Number 5072868
Project Name Westwind at Cumberland, Section 1
Improvements Survey Monuments & Street Signs

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

Developer's Company Name Platinum Properties Management Company, LLC as Principal
Developer's Company Address 9757 Westpoint Drive, Suite 600 Indianapolis, Indiana 46256 and
Surety Company Name Great American Insurance Company
Surety Company Address 301 E. 4th Street, Cincinnati, Ohio 45202 as Surety are held and firmly
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STATE OF OHIO, COUNTY OF HAMILTON - ss:

MARK VICARIO (877-377-2405)

On this 11TH day of AUGUST, 2023, before me personally appeared MARK VICARIO, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



SUSAN A KOHORST
Notary Public
State of Ohio
My Comm. Expires
May 18, 2025

Susan A Kohorst

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 11th day of October, 2023



Stephen C. Beraha

Assistant Secretary

BOND RIDER

To be attached to and form part of a Subdivision Improvements Maintenance Bond

Bond No. 4172330, dated April 13, 2023

issued to Platinum Properties Management Company, LLC,

as Principal, and Great American Insurance Company,

as Surety, in favor of City of Franklin, Indiana

_____, as Obligee.

It is understood and agreed that the Bond is changed or revised in the particulars as checked below:

() Name of Principal changed to: _____

(☒) Amount of bond changed from: Eighty-Four Thousand Three Hundred Fourteen and 35/100ths

_____ (\$ 84,314.35) DOLLARS,

to: Eighty-Two Thousand Nine Hundred Two and 30/100ths

_____ (\$ 82,902.30) DOLLARS,

() Other: _____

Said Bond shall be subject to all its terms, conditions and limitations, except as herein expressly modified. This Bond Rider shall become effective as of October 11, 2023

Signed, sealed and dated

Great American Insurance Company

By:  Attorney-in-Fact

Brenda Johnston

ACCEPTED:

By: 

STEVEN R. EDWARDS

CHIEF FINANCIAL OFFICER

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than TWELVE

No. 0 22228

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

	Name	Address	Limit of Power
MICHAEL J. MARSELLA	GINGER J. KRAHN	ALL OF	ALL
MICHAEL H. BILL	ROBERT BAUMGARTNER	CARMEL, INDIANA	\$100,000,000
EDWARD L. MOURNIGHAN	KIMBERLY E. KINKEAD		
BRENDA JOHNSTON	REBECCA A. VIRT		
CYNTHIA L. JENKINS	CINDY L. STELLHORN		
ELEXIS RICHARDS	EMILY DAUGHETEE		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 11TH day of AUGUST, 2023

Attest

GREAT AMERICAN INSURANCE COMPANY



My L C. B.

Assistant Secretary

Mark V. Vicario

Divisional Senior Vice President

MARK VICARIO (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

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SUSAN A KOHORST
Notary Public
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CERTIFICATION

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Signed and sealed this 11th day of October, 2023



My L C. B.

Assistant Secretary



COMPANY:
Great American Insurance Company
Bond Division
301 E. Fourth Street
Cincinnati, Ohio 45202

Digital Seal Authorization Agreement

March 24, 2020

Dear Valued Agency ("Agency," "You" or "Your"):

During the COVID-19 pandemic, use of traditional seals has been made impractical due to government stay-at-home orders and social distancing guidelines. As a result, Great American Insurance Company ("Great American") authorizes You and Your employees to affix Great American's digital seal (the "Digital Seal") to any bond executed on behalf of Great American by attaching to any such bond the addendum included with this Agreement (the "Addendum").

By affixing the Addendum to any Great American bond you agree to the terms and conditions described below and any other terms and conditions communicated to You by Great American (the "Agreement"):

1. You agree to use the Digital Seal solely for the purpose of electronically affixing a seal to surety bonds or related instruments authorized by Great American and executed on behalf of Great American by You pursuant to a valid Power of Attorney;
2. You may not transfer the Digital Seal to any other person or entity without the written consent of Great American;
3. Great American may revoke permission to use the Digital Seal at any time;
4. Great American does not make any representations about the extent to which any particular obligee will accept a digital seal. You agree to indemnify and hold harmless Great American from and against any liability arising from a principal or obligor's refusal to accept a Great American bond arising out of or related to the use of a digital seal; and
5. This Agreement shall not affect any other agreements in place between You and Great American.

Thank you for your business. Please contact your customary Bond Division contact if you have any questions.

A handwritten signature in black ink that reads "Gary T. Dunbar".

Gary T Dunbar
Divisional President
Bond Division