

Meeting Date: April 1, 2025 ☒ **Consent** ☐ **Regular**
☐ **Ordinance** ☐ **Public Hearing**

Submitted For: Road and Bridge Division

1. Location Map see map
2. Work Order 2024050-24 with Exhibits "A", "B", "C" and Ebix

Approved By:  3/21/25
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2025 | 2026 | 2027 | 2028 | 2029 |
|-------------------------|-----------|------|------|------|------|
| Capital Expenditures | \$645,000 | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | -0- | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | \$645,000 | -0- | -0- | -0- | -0- |
| # ADDITIONAL FTE | | | | | |
| POSITIONS (Cumulative) | -0- | -0- | -0- | -0- | -0- |

| | | | | |
|-------------------------------------|-----|-------------------------------------|----|-------------------------------------|
| Is Item Included in Current Budget? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| Is this item using Federal Funds? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| Is this item using State Funds? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

Budget Account No: Fund 3950 Dept 361 Unit 1784 Object 4612

Recommended Sources of Funds/Summary of Fiscal Impact: Local
Government One-Cent Infrastructure Surtax
Cam Estates (residential roads)

| | |
|------------------------|---------------|
| <u>Annual Contract</u> | |
| Asphalt & Milling | \$ 615,000.00 |
| Striping | \$ 30,000.00 |
| Fiscal Impact | \$ 645,000.00 |

C. Departmental Fiscal Review: Danny Ramalsingh

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Lisa Mach 2/6/2025
OFMB
MD 2/6
JA 2/6

Theresa Brack 2/10/25
Contract Dev. and Control
25 2/7/25

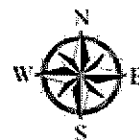
B. Approved as to Form and Legal Sufficiency:

[Signature] 2/11/25
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment. 2



LOCATION MAP



Fair Green Road from Drexel Road to Westover Road
Westover Road from Drexel Road to Fair Green Road
Brian Way from Fair Green Road to Belvedere Road
Parterre Drive from Fair Green Road to Westover Road
Fair Green Circle from Fair Green Road to Cul-De-Sac
Eden Road from Parterre Drive to Eden Drive
Eden Drive from Fair Green Road to Eden Road
Haddon Road from Parterre Drive to Fernlea Drive
Fernlea Drive from Fair Green Road to Cul-De-Sac
Meadowbrook Drive from Fair Green Road to Saxon Boulevard
Saxon Boulevard from Meadowbrook Drive to Fernlea Drive
Doane Court from Brian Way to Cul-De-Sac
Harwich Center Road from Brian Way to Fair Green Road
Camp Lee Road from Brian Way to Cul-De-Sac
Camp Rock Road from Saxon Boulevard to Fernlea Drive
Cameo Circle from Fernlea Drive to Cameo Circle

ATTACHMENT 1

**WORK ORDER # 2024050-24 TO THE
ANNUAL MILLING AND RESURFACING CONTRACT
BY AND BETWEEN PALM BEACH COUNTY
AND M&M ASPHALT MAINTENANCE, INC. D/B/A ALL COUNTY PAVING FOR
THE RESIDENTIAL STREETS WITHIN THE CAM ESTATES SUBDIVISION**

This Work Order to the Contract for Annual Milling and Resurfacing (R2024-0746), dated July 2, 2024 (**ANNUAL CONTRACT**) is made and entered into the 1st day of April, 2026, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (**COUNTY**) and M&M ASPHALT MAINTENANCE, INC. d/b/a ALL COUNTY PAVING (**CONTRACTOR**) authorized to do business in the State of Florida, whose Federal I.D. is 61-1595442 (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the **COUNTY** and **CONTRACTOR** entered into an **ANNUAL CONTRACT** on a work order basis on July 2, 2024 (R2024-0746); and

WHEREAS, the **COUNTY** desires the **CONTRACTOR** to mill and resurface the **COUNTY** maintained residential streets within the Cam Estates Subdivision in Palm Beach County, Florida (**"IMPROVEMENTS"**); and

WHEREAS, the **CONTRACTOR** agrees to construct the **IMPROVEMENTS** in accordance with the terms and conditions of the **ANNUAL CONTRACT**, and as directed and accepted by the Engineering Department, Road & Bridge Division; and

Work Order No.: 2024050-24

WHEREAS, based on the pricing agreed to in the **ANNUAL CONTRACT**, the Parties agree that a cost not to exceed \$615,000 is appropriate compensation for the services to be performed by the **CONTRACTOR** to construct the **IMPROVEMENTS**.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of the mutual benefits that flow from each to the other, the Parties hereto agree as follows:

1. The above recitals are true and are incorporated herein.
2. The **CONTRACTOR** agrees to construct the **IMPROVEMENTS** in accordance with the **ANNUAL CONTRACT**, and as further described in **Exhibit "A"**.
3. The **COUNTY** agrees to pay the **CONTRACTOR** a fee not to exceed \$615,000 to construct the **IMPROVEMENTS**. Final payment shall be per documented quantities installed.
4. The following Exhibits are attached to and made part of this Work Order:
 - a) **Exhibit A** - Work Order Request and Scope/Cost Estimate; and
 - b) **Exhibit B** - OEBO Schedules 1 and 2; and
 - c) **Exhibit C** - Public Construction Bond

INTENTIONALLY LEFT BLANK

Re: THE RESIDENTIAL STREETS WITHIN THE CAM ESTATES SUBDIVISION

Work Order No.: 2024050-24

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Work Order for the **IMPROVEMENTS**, pursuant to the **ANNUAL CONTRACT**, on behalf of the **COUNTY**, and **CONTRACTOR** has hereunto set its hand the day and year above written.

OWNER:

Palm Beach County, Florida, a
Political Subdivision of the
State of Florida by and through its

BOARD OF COUNTY COMMISSIONERS

BY: _____
Maria G. Marino, Mayor

ATTEST:
Joseph Abruzzo,
Clerk of the Circuit Court & Comptroller

BY: _____
Deputy Clerk

SEAL

APPROVED AS TO TERMS
AND CONDITIONS:

BY: sc _____
Stacy Can

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:

Yelizaveta Herman, Assistant County Attorney

CONTRACTOR:

M&M Asphalt Maintenance, Inc.,
d/b/a All County Paving
a Florida Corporation

BY: _____
Kenneth Goldberg
President
(Printed Name and Title)

CORPORATE SEAL

WITNESS:

BY: _____
Denisse Canavero
(Printed Name)

BY: _____
Nicole Backus
(Printed Name)



PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
ENGINEERING & PUBLIC WORKS DEPARTMENT
P. O. BOX 21229, WEST PALM BEACH, FL 33416-1229

| | | |
|--|---|----------------------------------|
| REQUEST: | REQUESTING DIVISION: | INFORMATION: |
| <input checked="" type="checkbox"/> WORK ORDER NO. <u>2024050-24</u> | <input checked="" type="checkbox"/> ROAD & BRIDGE | DATE <u>8/15/2024</u> |
| <input type="checkbox"/> NEW AUTHORIZATION | <input type="checkbox"/> TRAFFIC | REQUESTOR <u>Holly Skeen</u> |
| <input type="checkbox"/> CHANGE ORDER NO. _____ | <input type="checkbox"/> ROADWAY PRODUCTION | COMMISSION DISTRICT NO: <u>2</u> |
| <input type="checkbox"/> SUPPLEMENTAL NO. _____ | <input type="checkbox"/> CONSTRUCTION COOR. | RESOLUTION NO: <u>R2024-0746</u> |
| <input type="checkbox"/> OTHER: _____ | <input type="checkbox"/> STREETScape | PBC PO NUMBER: _____ |

PROJECT LOCATION/LIMITS: The residential streets within the Cam Estates Subdivision, as identified in this Exhibit A.

PROJECT NUMBER: 2024805 BUDGET LINE ITEM: 3950-361-1784-4612-CO13

CONTRACT NUMBER: 2024050 CONTRACT DATE: July 2, 2024

CONTRACTOR/CONSULTANT/VENDOR: M&M Asphalt Maintenance, Inc. d/b/a All County Paving VENDOR #: VC0000125269

CONTACT: Kenneth Goldberg CONTACT PHONE NUMBER: (561) 588-0949

Details: In accordance with your contract, you are to provide the following services: Mill and resurface roadway as directed.

A Separate NTP will be issued directing the contractor to commence work within five (5) working days. The contract duration for this work request is 15 days.

This work order shall be coordinated with (48 hours prior to beginning of work)

Chase Miller, Public Works Superintendent (561) 233-3999

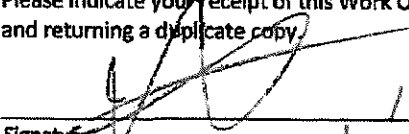
The total amount of this request, per the attached documentation, is not to exceed \$ \$ 615,000

The Small Business Enterprise (SBE) goal for this contract is 11%.

The estimated SBE participation for this request is 11.1%

The cumulative SBE participation to date for this Contract including this request is 7.9%

Name: Chase Miller Title: Public Works Superintendent Telephone Number: (561)233-3999

| | |
|---|---|
| CONTRACTOR/CONSULTANT/VENDOR APPROVALS | Please sign below and submit with invoice at the completion of the project. Project completed in compliance with Contract and Project Specifications. |
| Please indicate your receipt of this Work Order by signing and returning a duplicate copy. | |
|  Signature _____ Date <u>10/09/2024</u> | Signature _____ Date _____ |
| <u>Kenneth Goldberg / President</u> Printed Name and Title | _____ Printed Name and Title |

| | |
|--|---|
| PALM BEACH COUNTY APPROVALS | BOARD APPROVAL? _____ Date: _____ |
| Division Approval _____ Date _____ | <u>Darryl Ramhalsingh</u> <u>01/14/2025</u> Budget Approval _____ Date _____ |
| Assistant County Engineer _____ Date _____ | Contract Review Committee (when required) Date _____ |



ROAD AND BRIDGE CONSTRUCTION COST ESTIMATE

Exhibit 'A'

DATE: 8/15/2024

| | | | | | |
|-----------------------|--|----------|------|----------------------------|---------------|
| Project Description: | Mill & Resurface | | | Road Maintenance District: | 2 |
| Project Location: | The residential streets within the Cam Estates Subdivision, as identified below | | | Commission District: | 2 |
| Item # | Item Description | Quantity | Unit | Unit Price | |
| 14 | MILL EXISTING ASPHALT PAVEMENT (1") | 56000 | SY | \$ 2.15 | \$ 120,400.00 |
| 27 | OFF DUTY POLICE OFFICER | 1 | HR | \$ 100.00 | \$ 100.00 |
| 28 | PORTABLE MILLING MACHINE | 4 | HR | \$ 225.00 | \$ 900.00 |
| 33 | SUPERPAVE ASPHALTIC CONCRETE (SP-9.5 TRAFFIC LEVEL C) (>500 TON ORDERS) - RESIDENTIAL ROADWAYS | 3500 | TN | \$ 133.00 | \$ 465,500.00 |
| 34 | SURCHARGE TO DELIVER MILLINGS TO PBC STOCKPILE SITE USING CONTRACTOR VEHICLES | 50 | CY | \$ 3.00 | \$ 150.00 |
| 36 | MANHOLE ADJUSTMENT | 1 | EA | \$ 225.00 | \$ 225.00 |
| 37 | ADJUST VALVE BOX & MISC STRUCTURES | 1 | EA | \$ 175.00 | \$ 175.00 |
| M&M Asphalt - 2024050 | | | | SUBTOTAL: | \$ 587,450.00 |
| | | | | CONT: | \$ 27,550.00 |
| | | | | TOTAL: | \$ 615,000.00 |

STRIPING \$ 30,000

Project location:

Fair Green Road from Drexel Road to Westover Road
Westover Road from Drexel Road to Fair Green Road
Brian Way from Fair Green Road to Belvedere Road
Parterre Drive from Fair Green Road to Westover Road
Fair Green Circle from Fair Green Road to Cul-De-Sac
Eden Road from Parterre Drive to Eden Drive
Eden Drive from Fair Green to Eden Road
Haddon Road from Parterre Drive to Fernlea Drive
Fernlea Drive from Fair Green Road to Cul-De-Sac
Meadowbrook Drive from Fair Green Road to Saxon Boulevard
Saxon Boulevard from Meadowbrook Drive to Fernlea Drive
Doane Court from Brian Way to Cul-De-Sac
Harwich Center Road from Brian Way to Fair Green Road
Camp Lee Road from Brian Way to Cul-De-Sac
Camp Rock Road from Saxon Boulevard to Fernlea Drive
Cameo Circle from Fernlea Drive to Cameo Circle

OEBO SCHEDULE 1

LIST OF PROPOSED CONTRACTOR/CONSULTANT AND SUBCONTRACTOR/SUBCONSULTANT PARTICIPATION

SOLICITATION/PROJECT/BID NAME: The Residential Streets within the Cam Estates Subdivision

NAME OF PRIME RESPONDENT/BIDDER: M&M ASPHALT MAINTENANCE INC., D/B/A ALL COUNTY PAVING

CONTACT PERSON: Kenneth Goldberg

SOLICITATION OPENING/SUBMITTAL DATE: 10/17/2024

SOLICITATION/PROJECT/BID No.: 2024050-24

ADDRESS: 1180 SW 10th Street, Delray Beach, FL 33444

PHONE NO.: 561-588-0948 E-MAIL: PUBLICWORKS@ALLCOUNTYPAVIN G.COM

DEPARTMENT: _____

PLEASE LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME CONTRACTOR/CONSULTANT ON THIS PROJECT. PLEASE ALSO LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SUBCONTRACTORS/SUBCONSULTANTS ON THE PROJECT.

| Name, Address and Phone Number | (Check all Applicable Categories) | | | DOLLAR AMOUNT OR PERCENTAGE OF WORK | | | | |
|---|-------------------------------------|----------------------------|-------------------------------------|-------------------------------------|-------------|-------------|--------------|---------------------------|
| | Non-SBE | M/WBE | SBE | Black | Hispanic | Women | Caucasian | Other (Please Specify) |
| | | Minority/Women Business | Small Business | | | | | |
| 1. M&M ASPHALT MAINTENANCE INC., D/B/A ALL COUNTY PAVING 1180 SW 10TH STREET, DELRAY BEACH, FL 33444 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ | _____ | \$547,000.00 | _____ |
| 2. Tru Trucking | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | _____ | \$68,000.00 | _____ | _____ | _____ |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ | _____ | _____ | _____ |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ | _____ | _____ | _____ |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ | _____ | _____ | _____ |
| (Please use additional sheets if necessary) | | | | Total | \$68,000.00 | | \$547,000.00 | |
| Total Bid Price \$ <u>\$615,000.00</u> | | | | Total SBE / M/WBE Participation | | \$68,000.00 | | |

I hereby certify that the above information is accurate to the best of my knowledge: _____

Signature

PRESIDENT

Title

- Note:
- 1. The amount listed on this form for a Subcontractor/subconsultant must be supported by price or percentage listed on the properly executed Schedule 2 or attached signed proposal.
 - 2. Firms may be certified by Palm Beach County as an SBE and/or an M/WBE. If firms are certified as both an SBE and/or M/WBE, please indicate the dollar amount under the appropriate category.
 - 3. Modification of this form is not permitted and will be rejected upon submittal.

OEBO LETTER OF INTENT – SCHEDULE 2

Exhibit B, Pg. 2 of 2

A completed Schedule 2 is a binding document between the Prime Contractor/consultant and a Subcontractor/subconsultant (for any tier) and should be treated as such. The Schedule 2 shall contain bolded language indicating that by signing the Schedule 2, both parties recognize this Schedule as a binding document. All Subcontractors/subconsultants, including any tiered Subcontractors/subconsultants, must properly execute this document. Each properly executed Schedule 2 must be submitted with the bid/proposal.

SOLICITATION/PROJECT NUMBER: 2024050-24

SOLICITATION/PROJECT NAME: Mill & resurface the residential streets within the Cam Estates Subdivision

Prime Contractor: M&M ASPHALT MAINTENANCE INC., D/B/A ALL COUNTY PAVING

Subcontractor: Tru-Trucking

(Check box(s) that apply)

☒ SBE ☐ WBE ☐ MBE ☐ M/WBE ☐ Non-S/M/WBE Date of Palm Beach County Certification (if applicable):

The undersigned affirms they are the following (select one from each column if applicable):

Column 1

Column 2

Column 3

☒ Male ☐ Female ☐ African-American/Black ☐ Asian American ☐ Caucasian American ☐ Supplier ☒ Hispanic American ☐ Native American

S/M/WBE PARTICIPATION – S/M/WBE Primes must document all work to be performed by their own work force on this form. Failure to submit a properly executed Schedule 2 for any S/M/WBE participation may result in that participation not being counted. Specify in detail, the scope of work to be performed or items supplied with the dollar amount and/or percentage for each work item. S/M/WBE credit will only be given for the areas in which the S/M/WBE is certified. A detailed proposal may be attached to a properly executed Schedule 2.

| Line Item | Item Description | Unit Price | Quantity/ Units | Contingencies/ Allowances | Total Price/Percentage |
|-----------|------------------|------------|-----------------|---------------------------|------------------------|
| 1 | Trucking | | | | 11% |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

The undersigned Subcontractor/subconsultant is prepared to self-perform the above-described work in conjunction with the aforementioned project at the following total price or percentage:

If the undersigned intends to subcontract any portion of this work to another Subcontractor/subconsultant, please list the business name and the amount below accompanied by a separate properly executed Schedule 2.

Name of 2nd/3rd tier Subcontractor/subconsultant

Price or Percentage:

M&M ASPHALT MAINTENANCE INC., D/B/A ALL COUNTY PAVING

Print Name of Prime

By:

Authorized Signature

KENNETH GOLDBERG

Print Name

PRESIDENT

Title

Date: 10/17/2024

Tru-Trucking Inc

Print Name of Subcontractor/Subconsultant

By:

Authorized Signature

Caridad Trujillo

Print Name

V.P.

Title

Date: 10-24-24

Revised 09/17/2019

This is the front page of the performance/payment bond issued in compliance with Florida Statute 255.05
PERFORMANCE AND PAYMENT BOND
(Public Work)
In compliance with F.S. Chapter 255.05(1)(a)

Bond No.: GS59300727

CONTRACTOR:

Name: M & M Asphalt Maintenance, Inc. DBA All County Paving
Address: 1180 SW 10th Street, Delray Beach, FL 33444
Phone: 561-634-7270

SURETY(S):

Name: The Gray Casualty & Surety Company
Address: P.O. Box 6202 , Metairie, LA 70009-6202
Phone: 504-888-7790

OWNER:

Name: Palm Beach County
Address: 2300 North Jog Road, Suite 3W-33, West Palm Beach, FL 33411
Phone: 561-684-4150

Bond Amount: \$ 615,000.00
Description of Work: The Residential Street within the Cam Estates Subdivision
Project Location: Countywide

PUBLIC CONSTRUCTION BOND

| | |
|-----------------------|---|
| BOND NUMBER: | <u>GS59300727</u> |
| BOND AMOUNT: | <u>\$615,000.00</u> |
| CONTRACT AMOUNT: | <u>\$615,000.00</u> |
| <hr/> | |
| CONTRACTOR'S NAME: | <u>M & M Asphalt Maintenance, Inc. DBA All County Paving</u> |
| CONTRACTOR'S ADDRESS: | <u>1180 SW 10th Street</u> |
| | <u>Delray Beach, FL 33444</u> |
| CONTRACTOR'S PHONE: | <u>561-634-7270</u> |
| <hr/> | |
| SURETY COMPANY: | <u>The Gray Casualty & Surety Company</u> |
| SURETY ADDRESS: | <u>P.O. Box 6202</u> |
| | <u>Metairie, LA 70009</u> |
| SURETY PHONE: | <u>504-888-7790</u> |
| <hr/> | |
| OWNER'S NAME: | <u>Palm Beach County</u> |
| OWNER'S ADDRESS: | <u>2300 North Jog Road, Suite 3W-33</u> |
| | <u>West Palm Beach, FL 33411-2745</u> |
| OWNER'S PHONE: | <u>561-684-4150</u> |
| <hr/> | |
| PROJECT NO.: | <u>2024050-24</u> |
| DESCRIPTION OF WORK: | <u>Pavement milling and resurfacing</u> |
| | <u>The Residential Street within the Cam Estates Subdivision</u> |
| | <u>Project Number: 2024805</u> |
| | <u></u> |
| | <u></u> |
| | <u></u> |
| PROJECT LOCATION: | <u>Countywide</u> |
| LEGAL DESCRIPTION: | <u>No legal description is available. The best description available is as indicated on the Project Location above.</u> |

Bond No. GS59300727

PUBLIC CONSTRUCTION BOND

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Contract.

KNOW ALL MEN BY THESE PRESENTS: that Contractor M & M Asphalt Maintenance, Inc. DBA All County Paving (Principal) and The Gray Casualty & Surety Company (Surety), are held and firmly bound unto:

Palm Beach County Board of County Commissioners
301 N. Olive Avenue
West Palm Beach, Florida 33401

As Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of: **Six Hundred Fifteen Thousand and 00/100 Dollars**

\$ 615,000.00_____

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has by written agreement dated _____, 20____, entered into a Contract with the County for:

| | |
|----------------------|---|
| Project Name: | Milling & Resurfacing Continuing Services Construction Contract |
| Project No.: | 2024050-24 |
| Project Description: | See Page PCB-1 |
| Project Location: | See Page PCB-1 |

in accordance with Design Criteria Drawings and Specifications prepared by:

| | |
|---|-----|
| Name of Engineering/Architectural Firm: | TBD |
| Location of Firm: | TBD |
| Phone: | TBD |
| Fax : | TBD |

which Contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the Contract dated _____ between Principal and County for the construction of the project as described above, the Contract being made part of this bond by reference, at the times and in the manner prescribed in the Contract; and
2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, Materials, or supplies, used directly or indirectly by Principal in the prosecution of the Work provided for in the Contract; and
3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorney’s fees, including appellate proceedings, that County sustains because of a default by Principal under the Contract; and

PUBLIC CONSTRUCTION BOND

- 4. Performs the guarantee of all Work and Materials furnished under the Contract for the time specified in the Contract, then this bond is void; otherwise it remains in full force.
- 5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.
- 6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.
- 7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the contract are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverages and limitations of this instrument.
- 8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.
- 9. Any action brought under this instrument shall be brought in the state court of competent jurisdiction in Palm Beach County and not elsewhere. **The provisions and limitations of Section 255.05 Florida Statutes, including but not limited to the notice and time limitation in Sections 255.05(2) and 255.05(10), are incorporated in this bond by reference.

ATTEST:

[Signature]
(Signature)

Denisse Camerin
(Print Name)

Sr. Sales Coordinator
(Title)

(Seal)
M & M Asphalt Maintenance, Inc.
DBA All County Paving
By: [Signature]
(Principal)

Kenneth Goldberg
(Print Name)

President
(Title)

ATTEST:

[Signature]
(Signature)

Michelle Ramirez
(Print Name)

Witness
(Title)

(Seal)
The Gray Casualty & Surety Company
By: [Signature]
(Surety)

Kevin Wojtowicz
(Print Name)

Attorney-in-Fact
(Title)

PUBLIC CONSTRUCTION BOND

PROJECT NO.: 2024050

DESCRIPTION OF WORK: Pavement milling and resurfacing
The Residential Street within the Cam Estates Subdivision
Project Number: 2024805

PROJECT LOCATION: countywide

SURETY COMPANY: The Gray Casualty & Surety Company

SURETY ADDRESS: P.O. Box 6202
Metairie, LA 70009

SURETY PHONE: 504-888-7790

BOND NUMBER: GS59300727

BOND AMOUNT: \$615,000.00

CONTRACT AMOUNT: \$615,000.00

As the Surety Company for M & M Asphalt Maintenance, Inc. DBA All County Paving we have executed the captioned bond. Because the contract date is unknown, we have left the bond(s) undated. As a duly authorized Attorney-in-Fact for the Surety, The Gray Casualty & Surety Company, permission is hereby granted to Palm Beach County to fill in the contract date on the bond(s) and power of attorney when that date is known. Also, the "signed and sealed" date on the bond(s) should be completed.

FORM OF GUARANTEE

BOND NO. GS59300727

GUARANTEE FOR (Contractor and Surety Name) M & M Asphalt Maintenance, Inc. DBA All County Paving
The Gray Casualty & Surety Company

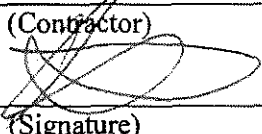
We the undersigned hereby guarantee that the Milling & Resurfacing Continuing Services Construction Contract (Project), Project Number 2024050, Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of our work, together with any work of others which may be damaged in so doing, that may prove to be defective in the workmanship or materials within the warranty period of one year from the date of Final Completion of all the above named work by the County of Palm Beach, State of Florida, without any expense whatsoever to said County of Palm Beach, ordinary wear and tear and unusual abuse or neglect excepted by the County. When correction work is started, it shall be carried through to completion.


In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand.

County and (contractor, engineer, architect as applicable) agree that the provisions of Florida Statute Chapter 558 shall not apply to this contract.

Dated _____
(notice of final acceptance date)

SEAL AND NOTARIAL ACKNOWLEDGEMENT OF SURETY

M & M Asphalt Maintenance, Inc. DBA All County Paving _____ (Seal)
(Contractor)
By:  _____
(Signature) Kenneth Goldberg / President
(Printed Name and Title)

The Gray Casualty & Surety Company _____ (Seal)
(Surety)
By:  _____
(Signature) Kevin Wojtowicz, Attorney-in-Fact
(Printed Name and Title)

Bond No. GS59300727

(Acknowledgment by Principal)

State of Florida

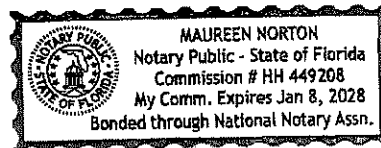
County of PAUL BEACH

I, MAUREEN NORTON, a Notary Public in and for the county and state aforesaid, do hereby certify that KENNETH GOLDBERG who, as PRESIDENT, signed this Payment and Performance Bond for M&M Asphalt Maintenance, Inc. DBA All County Paving, on this day, before me, acknowledge the said writing to be the act and deed of the said corporation.

Given under my hand this 13TH day of NOVEMBER, 20 24

Maureen Norton
Notary Public

My commission expires on the 08 day of JANUARY, 2028



(Acknowledgment by Surety)

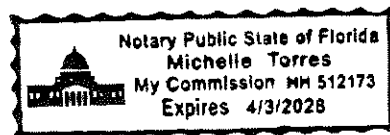
State of Florida

County of Miami-Dade

I, Michelle Torres, a Notary Public in and for the county and state aforesaid, do hereby certify that Kevin Wojtowicz who, as Attorney-in-Fact & FL Licensed Agent, signed this Payment and Performance Bond for The Gray Casualty & Surety Company, on this day, before me, acknowledge the said writing to be the act and deed of the said corporation. .

Given under my hand this 7th day of November, 20 24

Michelle Torres
Notary Public



My commission expires on the 3 day of April, 2028

Niellson, Wojtowicz, Neu, & Associates
11/07/2024 10:47 2821494025034

THE GRAY INSURANCE COMPANY
THE GRAY CASUALTY & SURETY COMPANY

GENERAL POWER OF ATTORNEY

Bond Number: GS59300727 Principal: M & M Asphalt Maintenance, Inc. DBA All County Paving
Project: The Residential Street within the Cam Estates Subdivision

KNOW ALL BY THESE PRESENTS, THAT The Gray Insurance Company and The Gray Casualty & Surety Company, corporations duly organized and existing under the laws of Louisiana, and having their principal offices in Metairie, Louisiana, do hereby make, constitute, and appoint: Kevin Wojtowicz, Jessica Reno, Edwin T. Collins, IV, Devin Phillips, Christian Collins, and Laura D. Mosholder of St. Petersburg, Florida jointly and severally on behalf of each of the Companies named above its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its deed, bonds, or other writings obligatory in the nature of a bond, as surety, contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the amount of \$25,000,000.00.

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both The Gray Insurance Company and The Gray Casualty & Surety Company at meetings duly called and held on the 26th day of June, 2003.

“RESOLVED, that the President, Executive Vice President, any Vice President, or the Secretary be and each or any of them hereby is authorized to execute a power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings, and all contracts of surety, and that each or any of them is hereby authorized to attest to the execution of such Power of Attorney, and to attach the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be binding upon the Company now and in the future when so affixed with regard to any bond, undertaking or contract of surety to which it is attached.

IN WITNESS WHEREOF, The Gray Insurance Company and The Gray Casualty & Surety Company have caused their official seals to be hereinto affixed, and these presents to be signed by their authorized officers this 4th day of November, 2022.



By:

Michael T. Gray

Michael T. Gray
President
The Gray Insurance Company

Cullen S. Piske

Cullen S. Piske
President
The Gray Casualty & Surety Company



State of Louisiana
ss:

Parish of Jefferson
On this 4th day of November, 2022, before me, a Notary Public, personally appeared Michael T. Gray, President of The Gray Insurance Company, and Cullen S. Piske, President of The Gray Casualty & Surety Company, personally known to me, being duly sworn, acknowledged that they signed the above Power of Attorney and affixed the seals of the companies as officers of, and acknowledged said instrument to be the voluntary act and deed, of their companies.



Leigh Anne Henican
Notary Public
Notary ID No. 92653
Orleans Parish, Louisiana

Leigh Anne Henican

Leigh Anne Henican
Notary Public, Parish of Orleans State of Louisiana
My Commission is for Life

I, Mark S. Manguno, Secretary of The Gray Insurance Company, do hereby certify that the above and forgoing is a true and correct copy of a Power of Attorney given by the companies, which is still in full force and effect. IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Company this day of , .

Mark S. Manguno

I, Leigh Anne Henican, Secretary of The Gray Casualty & Surety Company, do hereby certify that the above and forgoing is a true and correct copy of a Power of Attorney given by the companies, which is still in full force and effect. IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Company this day of , .

Leigh Anne Henican





Palm Beach County
Compliance Summary Report

| Vendor Number | Vendor Name | AM Best Rating | Insurance Carrier | Policy # | Eff. Date | Exp. Date | Coverage | Contract Number | Contract Name |
|---------------|---------------------------------|----------------|---|-------------|-----------|-----------|-------------------|-----------------|---|
| DX00001468 | M & M Asphalt Maintenance, Inc. | | Compliant | | | | | 2021050 | Annual Milling and Resurfacing Contract |
| | | A++ , XV | Federal Insurance Company | 54326686 | 4/30/2024 | 4/30/2025 | Auto Liability | | |
| | | A++r , XIV | Landmark American Insurance Company | APP92618219 | 4/30/2024 | 4/30/2025 | Excess Liability | | |
| | | A++g , XV | Executive Risk Indemnity Inc. | 54326687 | 4/30/2024 | 4/30/2025 | General Liability | | |
| | | Ap , XV | Nationwide Insurance Company of America | wcc343255a | 4/30/2024 | 4/30/2025 | Workers Comp | | |

Risk Profile : Standard - Construction Services
Required Additional Insured : Palm Beach County Board of County Commissioners
Ownership Entity :