

City of Bay St. Louis
Project No. STP-9357-00(001)LPA /
107955-701000
SUPPLEMENTAL AGREEMENT NO. 02

WHEREAS, WE, Bottom 2 Top Construction LLC, Contractor, and Old Republic Surety Company, Surety, entered into a contract with the City of Bay St. Louis, LPA, on the 31 day of July, for the construction of Federal Aid Project No. STP-9357-00(001)LPA / 107955-701000, Hancock county; and

WHEREAS: The project provides for the construction of sidewalks, drainage, overlay and striping along Washington Street; and

WHEREAS: The contract is setup to construct a 5' wide sidewalk, improve drainage and pavement improvements along Washington St., and all other related items of work required to complete the project as shown and specified in the Contract Documents; and

WHEREAS: To support the safety of pedestrians and users of the improved park, speed tables are being added to reduce vehicular speeds in critical areas. These measures will create a safer environment for families, children, and all visitors, particularly in areas with increased foot traffic due to the enhanced park features; and

WHEREAS: To further enhance the safety and security of the park's patrons, additional fencing will be installed to enclose the park completely. This will provide a secure boundary, preventing unauthorized access and creating a safe environment for families and children to enjoy; and

WHEREAS: The addition of bollards around the existing fire hydrant is necessary to protect this critical infrastructure from accidental damage and ensure the continued safety and functionality of the fire hydrant; and

WHEREAS: The addition of a park sign is necessary to clearly identify the location of the newly improved park, enhance its visibility, and encourage community engagement and use. The sign will also contribute to the overall safety of the area by ensuring visitors can easily locate the park and its amenities; and

WHEREAS: As part of the construction activities, trees were removed within the project area. To restore the site and maintain the community's aesthetic and environmental value, landscaping will be included to replace the removed trees with suitable plantings; and

WHEREAS, The additional work outlined herein will be completed using funds remaining from the original project scope, ensuring the efficient use of allocated resources without impacting the original project budget;

NOW, THEREFORE, it is mutually agreed by all parties concerned that payment for the work addressed herein shall be made under the following pay items and lump sum amount, which shall be full and final compensation for all materials, labor, equipment, and other items necessary to complete the work. It shall also be noted that the pay items and work required below will add 15 additional working days to the contract time to the project:

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Pay Items					
Item	Description	Quantity	Unit	Unit Price	Extension
907-258-K001	Bollards	4	EA	\$ 350.00	\$ 1,400.00
L00122	Speed Table	2	EA	\$ 3,500.00	\$ 7,000.00
L00009	Decorative Sign Post	1	EA	\$ 6,957.00	\$ 6,957.00
907-607-PP003	Fencing	40	LF	\$ 42.00	\$ 1,680.00
907-258-E001	Trash Receptacle	3	EA	\$ 700.00	\$ 2,100.00
230-B022	Tree Planting, Crape Myrtle	2	EA	\$ 500.00	\$ 1,000.00
230-A062	Shrub Planting, Indian Hawthorn	10	EA	\$ 80.00	\$ 800.00

Total Additional Work Cost: \$ 20,937.00
Total Original Construction Cost: \$ 120,875.57
Total Previously Adjusted Construction Costs: \$ 4,500.00
Total Revised Construction Costs: \$ 125,375.57

Contract Time

Notice to Proceed Date:	November 4, 2024
Original Contract Time:	33 Working Days
Change in Contract Time:	15 Working Days
Total Revised Contract Time:	48 Working Days

This agreement in no way modifies or changes the original contract of which it becomes a part, except as specifically stated herein.

This Supplemental Agreement has been discussed with Chuck Starita District LPA Coordinator, Greg Grondin MDOT Construction Area Engineer, and Mitchell Young MDOT LPA Division.

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NOW, THEREFORE, WE, Bottom 2 Top Construction LLC, Contractor, and Old Republic Surety Company, Surety, hereby agree to said Supplemental Agreement consisting of the above mentioned items and prices and agree that this Supplemental Agreement is hereby made a part of the original contract to be performed under specifications thereof, and that the original contract is in full force and effect, except insofar as it might be modified by this Supplemental Agreement.

Dated, this 19th day of June, 20 25

Old Republic Surety Company

Surety

Bottom 2 Top Construction LLC

Contractor

By:

Kathleen B. Scarborough
Kathleen B. Scarborough, Attorney-in-Fact

6/19/25
Date

Joseph R. Raffeo Jr.

6/19/25
Date

RECOMMENDED FOR APPROVAL:

[Signature]

LPA Project Engineer/Architect

6/26/25
Date

Billy Luen, P.E.

MDOT District Engineer

06-26-2025

Date

APPROVED:

LPA OFFICIAL

Date

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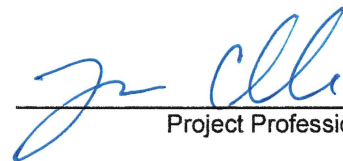
SUPPLEMENTAL SHEET

DETAIL EXPLANATION OF NECESSITY OF WORK INVOLVED:

The work outlined is essential for enhancing the safety, functionality, and overall appeal of the park. Speed tables are critical for reducing vehicular speeds near the park, creating a safer environment for pedestrians and families. The installation of additional fencing ensures the park is fully enclosed, providing a secure boundary that enhances safety for patrons, especially children and pets. Bollards will protect the existing fire hydrant from accidental damage, safeguarding vital emergency infrastructure. The addition of a park sign increases visibility and accessibility, encouraging community engagement and ensuring the park can be easily located. Landscaping enhancements will replace trees removed during construction, restoring natural aesthetics, providing shade, and contributing to ecological benefits. Trash receptacles will promote cleanliness, reduce litter, and maintain the park's usability, supporting a positive experience for visitors while fostering environmental responsibility.

JUSTIFICATION OF UNIT PRICES SUBMITTED:

Contractor (Bottom 2 Top Construction LLC) gave the Engineer (Chiniche Engineering & Surveying) a quote for the additional work items. The City requested the trash receptacles match the existing ones located throughout the city.



Project Professional

LPA Official

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DETAIL ANALYSIS OF UNIT PRICES:

Bottom 2 Top Construction LLC

Contract - Washington St
 RFP # -
 Item- Additional Work

SCOPE OF WORK	Unit	Unit Cost	Quantity	LABOR Unit Cost	MATERIAL	Sub	EQUIPMENT Unit Cost	TOTAL
Bollard (6" dia steel casing with concrete inside painted on outside)	EA	\$350.00	4.0	\$100.00	\$250.00			\$ 1,400.00
Speed Table	EA	\$3,500.00	2.0			\$3,500.00		\$ 7,000.00
Decorative Sign Post	EA	\$6,957.00	1.0	\$2,500.00	\$4,457.00			\$ 6,957.00
Fencing	LF	\$42.00	40.0			\$42.00		\$ 1,680.00
Trash Receptacle	EA	\$700.00	3.0	\$150.00	\$550.00			\$ 2,100.00
Tree Planting, Crape Myrtle	EA	\$500.00	2.0		\$500.00			\$ 1,000.00
Shrub Planting, Indian Hawthorn	EA	\$80.00	10.0		\$80.00			\$ 800.00

Base Total	\$20,937.00
Total	\$20,937.00

Joseph R Raffeo Jr.
 CONTRACTOR



OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

TROY WAGENER, DAVID FORTENBERRY, MARY NORVAL, KIM BARHUM, KATHLEEN B. SCARBOROUGH, DEWEY B. MASON, SUSAN M. SKRMETTA, JOSEPH R. BEATTIE, LISA R. BUTLER, PATRICK T. MASON, CHRIS BOONE, SHARON TUTEN, CHARLOTTE A. RAMSEY, DEBBIE DUNAWAY, JAMES ELEY BRASHIER of GULFPORT, MS

its true and lawful Attorney(s)-in-Fact, with full power and authority for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, **(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, or black lung bonds)**, as follows:

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

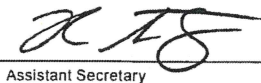
RESOLVED that, the president, any vice-president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

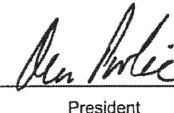
RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 15th day of May, 2025.


Assistant Secretary



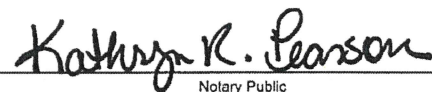
OLD REPUBLIC SURETY COMPANY


President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 15th day of May, 2025, personally came before me, Alan Pavlic and Kevin J. Abitz, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




Kathryn R. Pearson
Notary Public

My Commission Expires: September 28, 2026

(Expiration of notary's commission does not invalidate this instrument)

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

87-0829



Signed and sealed at the City of Brookfield, WI this 19th day of June, 2025.


Assistant Secretary

ORSC 22262 (3-06)

ARTHUR J GALLAGHER RISK MGMT