

City of Bay St. Louis
 Project No. STP-9357-00(001) LPA/107955-70100
SUPPLEMENTAL AGREEMENT NO. 01

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 24th day of June, for the construction of Federal Aid Project No. STP-9357-00(001)LPA/107955-70100, Hancock county; and

WHEREAS: The project provides for the construction of sidewalks, drainage, overlay, and striping along Washington St.; 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: Based on field conditions at the project site, a 180' of chain link fence was encountered, and obstructing the placement of the proposed sidewalk. This portion of fencing was not originally setup in the Contract and a pay item will need to be added to the project regarding the removal and replacing of the chain link fence; and

NOW, THEREFORE, It is mutually agreed by all parties concerned that payment for the work addressed herein shall be made under the following pay item 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 not add any additional contract time to the project:

PAYITEMS					
<u>Pay Item No.</u>	<u>Description of Item</u>	<u>Qty</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Extension</u>
620-B	Requisite Work, Remove and Replace Fence and Posts	1	LS	\$4,500.00	\$4,500.00
Total Original Construction Costs:				\$ 120,875.57	
Change in Construction Costs:				\$ 4,500.00	
Total Previously Adjusted Construction Costs:				\$ -	
<u>Total Revised Construction Costs:</u>				<u>\$ 125,375.57</u>	

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 Sarita, District 6 LPA Engineer, 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 28th day of January, 2025.

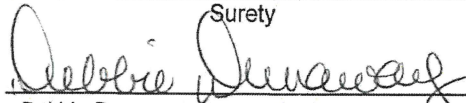
Old Republic Surety Company

Bottom 2 Top Construction LLC

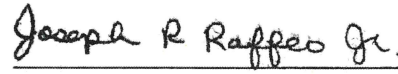
Surety

Contractor

By:

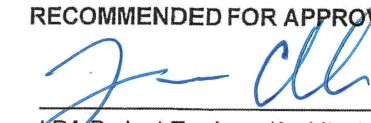

Debbie Dunaway, Attorney-in-Fact

Date: 1/28/2025


Joseph R. Raffeo Jr.

1/28/25
Date

RECOMMENDED FOR APPROVAL:


LPA Project Engineer/Architect

1/28/25
Date

MDOT District Engineer

Date

APPROVED:

LPA OFFICIAL

Date

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SUPPLEMENTAL SHEET

DETAIL EXPLANATION OF NECESSITY OF WORK INVOLVED:

Upon the start of construction, 180' of chain link fencing with four terminal posts was found to be in the way of the proposed sidewalk, in front of Martin Luther King Park on Washington St. It was determined by the City of Bay St. Louis that the fence should be removed and replaced after the completion of the sidewalk.

JUSTIFICATION OF UNIT PRICES SUBMITTED:

Contractor (Bottom 2 Top Construction LLC) gave the Engineer (Chiniche Engineering & Surveying) a quote for the removal and replacement of 180' of fencing with 4 terminal posts.



Project Professional

LPA Official

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DETAIL ANALYSIS OF UNIT PRICES:

----- Forwarded message -----
From: Kevin Scarengos <kevin@bottom2top.net>
Date: Thu, Dec 5, 2024 at 8:20 AM
Subject: Washington St Change Order
To: Jason Chinche <jason@chinche.com>
Cc: Joseph Raffeo Jr. <jraffeo@bottom2top.net>, John DeSinger <johnd@bottom2top.net>

Jason,

The price for the 160' with the 4 terminal posts (no gates) for the Washington St Project is \$4500.



Kevin Scarengos | Project Coordinator

Bottom 2 Top Construction LLC.
16708 Hwy 67 | Biloxi, MS 39532

Direct Line: 228-731-3795

Cell: 228-861-1575

Fax: 228-314-3811



Email: kevin@bottom2top.net

Joseph R Raffeo Jr.

CONTRACTOR

**Mississippi Department of Transportation
Supplemental Agreement Detailed Breakdown**

Prime Contractor Bollom 2 Top

Project No. STP-9357-00(001)LPA/107955-701000

County Hancock

Pay Item 620-B Requisite Work, Remove and Replace Fence and Posts

Unit LS

LABOR, TEAMS, AND FOREMAN			
Classification	Hours Worked	Hourly Rate	Amount
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Total Labor			\$ -
EQUIPMENT			
Classification	Quantity	Unit Rate	Amount
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Total Equipment			\$ -
Subcontractor	Quantity	Unit Price	Amount
180' of fencing with 4 terminal posts (not gates)	1.0	4,090.910	\$ 4,090.91
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Total Materials			\$ 4,090.91
Total Labor, Equipment, & Materials			\$ 4,090.91
10.00%	% for Profit/Overhead		\$ 409.09
50.00%	% for Labor Burden		\$ -
Subtotal			\$ 4,500.00
0.00%	% for Taxes		\$ -
0.00%	% for Bond		\$ -
Total Cost			\$ 4,500.00

Remarks

By

Joseph R Raffeo Jr.
Contractor

1/9/25
Date



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, JIM E. BRASHIER, TEB JONES, DAVID FORTENBERRY, MARY NORVAL, KIM BARHUM, F. ROSS BELL, 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, LESSIE R. ANDERSON, DEBBIE DUNAWAY, JAMES ELEY BRASHIER, TENORA POSEY 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 24th day of February, 2023.

Karen J. Haffner
Assistant Secreta.



OLD REPUBLIC SURETY COMPANY

Alan Pavlic
President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 24th day of February, 2023, personally came before me, Alan Pavlic and Karen J Haffner, 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 28th day of January, 2025.

Karen J. Haffner
Assls. Secreta.

ORSC 22262 (3-06)

CADENCE INSURANCE, INC.