

**AMENDMENT NO. 2 TO THE
PATHWAY & MINOR CONSTRUCTION CONTINUING SERVICES CONTRACT
BY AND BETWEEN PALM BEACH COUNTY
AND WYNN & SONS ENVIRONMENTAL CONSTRUCTION COMPANY, LLC
PROJECT #2022063**

R2024 0428 MAY 07 2024

This Amendment No. 2 (AMENDMENT) to the Pathway & Minor Construction Continuing Services Contract (R2023-0255), dated March 14, 2023 (CONTRACT), is made and entered into on May 7, 2024, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY) and Wynn & Sons Environmental Construction Company, LLC (CONTRACTOR) whose Federal ID is 65-0301746 (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the COUNTY and Wynn & Sons Environmental Construction Company, Inc. entered into the CONTRACT on March 14, 2023 (R2023-0255), as amended on December 19, 2023 (R2023-1839); and

WHEREAS, on January 20, 2023 Articles of Conversion were filed with the State of Florida to convert Wynn & Sons Environmental Construction Company, Inc. into Wynn & Sons Environmental Construction Company, LLC; and

WHEREAS, there are outstanding work orders under the CONTRACT (WORK ORDERS); and

WHEREAS, Section 3 of the Special Provisions of the CONTRACT allows for extensions and other CONTRACT deviations upon mutual written agreement through a CONTRACT amendment, while adhering to all other original terms, conditions and unit prices of the CONTRACT; and

WHEREAS, Amendment No. 1 to the CONTRACT (R2023-1839), dated December 19, 2023, modified the pay items; and

WHEREAS, by this AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT, as provided herein.


NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the Parties agree as follows:

1. The above recitations are true and correct and incorporated herein.

2. The CONTRACT is hereby amended to extend the expiration date of the CONTRACT from September 13, 2024 to March 13, 2026.
3. The CONTRACT, together with WORK ORDERS, is hereby amended, to delete Wynn and Sons Environmental Construction Company, Inc., as the name of the CONTRACTOR and replace the name of the CONTRACTOR with Wynn and Sons Environmental Construction Company, LLC.
4. No Waiver or Release. Notwithstanding any other clause or provision in this AMENDMENT, it is not intended to act as a release, waiver, or relinquishment of any claims, demands, warranties, damages, causes of action or rights of the COUNTY relating to Wynn and Sons Environmental Construction Company, Inc. and all such rights are reserved by the COUNTY and shall remain notwithstanding this AMENDMENT, to the extent they arise from or are related to the terms, conditions, covenants, obligations, liabilities and duties of Wynn and Sons Environmental Construction Company, Inc. existing prior to the Effective Date of this AMENDMENT.
5. The AMENDMENT shall be effective retroactively on January 20, 2023 and shall remain in full force and effect until March 13, 2026.
6. It is the intent of the Parties hereto that this AMENDMENT shall not become binding until the date executed by the COUNTY.
7. Except as hereby amended, changed or modified, all other provisions of the CONTRACT, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this AMENDMENT to the CONTRACT, as amended, on behalf of the COUNTY and CONTRACTOR, has hereunto set its hand the day and year above written.


OWNER:
APPROVED AS TO TERMS
AND CONDITIONS

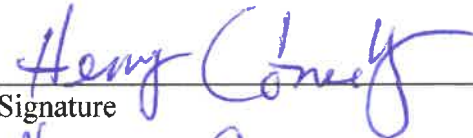
By: 
Morton L. Rose, P.E.
Director of Roadway Production

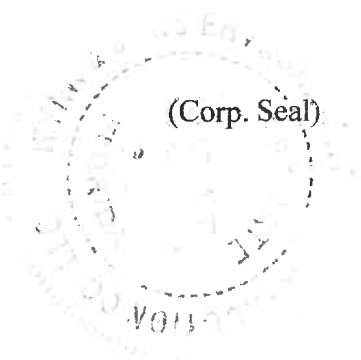
CONTRACTOR:
WYNN AND SONS ENVIRONMENTAL
CONSTRUCTION COMPANY, LLC


Wynn Free Holdings, LLC
Daniel P. Wynn, Manager

ATTEST WITNESS:


Signature
Rick Vige
Name (type or print)


Signature
HENRY COVERLY
Name (type or print)



{SIGNATURE PAGES CONTINUED}

R2024 0428

ATTEST:

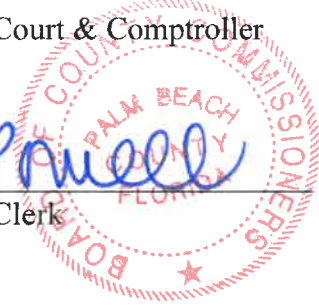
Joseph Abruzzo
Clerk of the Circuit Court & Comptroller

COUNTY:

MAY 07 2024
Palm Beach County, a Political Subdivision
of the State of Florida, by and through its
Board of County Commissioners

By:


Deputy Clerk




By:


Maria Sachs, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(Seal)

By:


Yelizaveta B. Herman
Assistant County Attorney



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 |
|---------------|--|----------------|-----------------------------------|--------------|-----------|-----------|-------------------|-----------------|--|
| DX00002016 | Wynn & Sons Environmental Construction | | Compliant | | | | | 2022063 | Pathway & Minor Construction Continuing Services |
| | | A , XI | Monroe Guaranty Insurance Company | CA100085855 | 7/3/2023 | 7/3/2024 | Auto Liability | | |
| | | A , XI | National Trust Insurance Company | UMB100085857 | 7/3/2023 | 7/3/2024 | Excess Liability | | |
| | | A , XI | Monroe Guaranty Insurance Company | GL100085856 | 7/3/2023 | 7/3/2024 | General Liability | | |
| | | A , XI | FCCI Insurance Company | WC0100085858 | 7/3/2023 | 7/3/2024 | Workers Comp | | |

Risk Profile :

Standard - Construction Services

Required Additional Insured : Palm Beach County Board of County Commissioners

Ownership Entity :