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**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
COUNTY OF ESSEX**

**RESOLUTION NO.** \_\_\_\_\_ **AUTHORITY FOR RESOLUTION:** N.J.S.A. 40:41A-38(n)

**PROPOSED BY:** COUNTY EXECUTIVE **AUTHORITY FOR ACTION:** N.J.S.A. 40:41A-36(i)

**SUBJECT:**

**DEPARTMENT OF PUBLIC WORKS, DIVISION OF ENGINEERING – CONTRACT AWARD TO APS CONTRACTING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE CONSTRUCTION OF THE NEW D. BILAL BEASLEY COMMUNITY CENTER IN IRVINGTON PARK – AMOUNT NOT TO EXCEED \$10,537,000.00**

**WHEREAS**, the County of Essex has a need for a vendor to provide for the Construction of the New D. Bilal Beasley Community Center (the “Services”) for the Department of Public Works; and

**WHEREAS**, the County’s Office of Purchasing has publicly advertised for bids for the Services; and

**WHEREAS**, the County has received, from five (5) vendors written responses to the aforesaid advertisement for bids; and

**WHEREAS**, the County’s Office of Purchasing recommends the Board of County Commissioners award the contract for the Services to APS Contracting, Inc., the lowest responsive and responsible bidder; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds to pay such contract (which certification is attached hereto); and

**WHEREAS**, the New Jersey Public Contracts Law (N.J.S.A. 40a: 11-1 et. seq.) requires that the Board of County Commissioners by resolution approve the awarding of a contract for the provision or performance of any goods or services, the cost of which in the aggregate exceed the statutory bidding threshold; now, therefore, be it.

**RESOLVED**, by the Essex County Board of County Commissioners:

1. That the award of a Contract for the Services at a cost not to exceed \$10,537,000.00 to APS Contracting, the lowest responsive and responsible bidder in accordance with the recommendation of the County's Office of Purchasing, be and hereby is approved, and that the County Administrator be and hereby is authorized to enter into and execute said contract as aforesaid together with such other documents incident thereto as may be necessary.
2. That the Clerk of the Board of County Commissioners forward two (2) certified copy of this resolution and agreement to the Office of Purchasing and one to the Department of Public Works.

Approved as to form and legality \_\_\_\_\_ Date \_\_\_\_\_



ESSEX COUNTY COUNSEL

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

Moved by Commissioner \_\_\_\_\_

Second by Commissioner \_\_\_\_\_

Commissioner	Yes	No	N.V.	ABS	Commissioner	Yes	No	N.V.	ABS
Cooper					Mercado				
Gill					Pomares, V.P.				
Graham					Richardson, Pres.				
Johnson					Sebold				
Luciano									

It is hereby certified that the foregoing Resolution was ( ) adopted ( ) defeated ( ) tabled by roll call vote at a \_\_\_\_\_ meeting of the Board of County Commissioners of the County of Essex, New Jersey held on \_\_\_\_\_.

Is Publication Required ( ) Yes ( ) No

Date Published \_\_\_\_\_

\_\_\_\_\_  
Wayne L. Richardson, President

APS Contracting  
2/14/2023

**COUNTY OF ESSEX****DECISION MEMORANDUM**

COUNTY EXECUTIVE

**BOARD AGENDA ITEM**

COUNTY ADMINISTRATOR

**TO:** Honorable Robert Jackson  
County Administrator

**DEPARTMENT:** Dept. of \_\_\_\_\_

**FROM:** Julius N. Coltre, MPA, QPA  
Director of Purchasing

**DIVISION:** Public Works/Engineering

**DATE:** February 14, 2023

**INTRODUCTION AND OVERVIEW:**

**TITLE:** Construction of the New D. Bilal Beasley Community Center in Irvington Park

**SOLICITATION NUMBER:** 23-012

**SOLICITATION TYPE:** Bid: ☒ RFP: ☐ Comp. Contract: ☐ Non-Fair & Open: ☐ Other: ☐

**REQUESTING AGENCY:** Department of Public Works / Engineering

**ADVERTISEMENT DATE:** January 17, 2023 **OPENING DATE:** February 9, 2023

**POTENTIAL BIDDERS FROM:** Advertisement: 0 Portal: 8 Purchasing: 0 Small Business: 0

**BIDDERS(s) REJECTED:** none **REASON:**

**NUMBER OF SUBMITTED PROPOSALS:** 5

**ASPIRATION GOAL ACKNOWLEDGEMENT FORM** (Completed & Returned): Yes: ☐ No: ☒

**CONTRACT PERIOD:** Project completion to be: (270) calendar days after notice to proceed

**MINORITY STATUS OF RECOMMENDED VENDOR:**

(WBE): ☐ (MGM): ☐ (SBE): ☒ (cat 6) (MBE): ☐ (VOB): ☐ (Other): ☐

<u>VENDOR NAME</u>	<u>Total Bid Amount (Items: 1, 2 &amp; 3):</u>
APS Contracting, Inc. (Paterson, N.J.)	\$10,537,000.00
Grove Contracting, LLC	\$10,619,000.00
Epic Management, Inc.	\$10,798,000.00
M & M Construction Co., Inc.	\$11,535,000.00
Molba Construction	\$13,669,929.00

FEB 14 4:23 PM '23

**RECOMMENDATION:**

Based upon the recommendation of Director Sanjeev Varghese, the Director of Public Works, which is attached hereto and after reviewing the submitted proposals, it is recommended that the Board of Commissioners award by resolution a contract to: **APS Contracting, Inc. 155-161 Pennsylvania Avenue, Paterson, N.J. 07503.**

**REASON FOR RECOMMENDATION:**

The Essex County Department of Public Works / Engineering Department has determined that this vendor has met the requirements of the advertised specifications and is the lowest responsive / responsible bidder to Provide the Construction of the New D. Bilal Beasley Community Center & Other Improvements as per specifications.

**FISCAL IMPACT:**

As stated on the attached recommendation letter from Public Works, funding & account information will be supplied by the Department of Parks & Recreation at a later date. The total amount of this contract shall not exceed: **\$10,537,000.00.**

**ALTERNATIVE:**

There is no alternative to procure this service except to advertise & solicit bids under the "fair & open bidding process in compliance with the Local Public Contracts Law.

**HISTORY:**

To date, this vendor has been paid \$5,075,919.12 for payments on other construction projects awarded by the governing body.

**ADVERTISEMENT FOR BIDS:**

In Accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)

**ATTACHMENTS:**

- 1) Memorandum of agreement (3 originals signed & attested)
- 2) AA-201 Affirmative Action Requirements
- 3) Recommendation letter from the Department of Public Works
- 4) Certificate of Insurance
- 5) Public Works Registration Certificate
- 6) Business Registration Certificate
- 7) Political Contribution Disclosure Form
- 8) Approved Performance Bond for full amount of contract
- 9) Price proposal page(s)

JNC: cmc



OFFICE OF ACCOUNTS AND CONTROL  
HALL OF RECORDS, ROOM 542  
NEWARK, NEW JERSEY 07102

**CERTIFICATION OF FUNDS**

Vendor Name                      See Attached Schedule  
Account Name                    See Attached Schedule  
Account #                        See Attached Schedule  
Contract Period (If Applicable)    Two Hundred Seventy (270) Calendar Days After Notice to Proceed  
Purpose of Contract            To provide for the Construction of the New D. Bilal Beasley Community Center for the Department of Public Works.

10,537,000.00      Contract Amount

**Funding**

	Temporary Budget Amount
	Current Fund Budget Amount
	Contingent Current Year Amount
7,500,000.00	Grant Funding
3,037,000.00	Capital Funding
	Trust Funding
	Contingent Subsequent Years

I, do hereby certify that the funding is legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of the Optional County Charter Law, the Essex County Administrative Code and the Essex County Standard Operating Policies and Procedures.

CM Date: 2/27/2023  
Cert: 724

  
Ehab Salama  
Chief Financial Officer

Vendor Name	Account Number	Account Name	Amount
APS Contracting Inc	04-215-23-003-370-400	Parks & Recreation Imps	3,037,000.00
APS Contracting Inc	02-213-23-370-057-001	Irvington Park Community Center	7,500,000.00



**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**VENDOR**

**COUNTY**

NAME: APS Contracting, Inc.  
ADDRESS: 155-161 Pennsylvania Ave.  
Paterson, N.J. 07503

County of Essex  
Hall of Records  
465 Dr. Martin Luther King Blvd.  
Newark, New Jersey 07102

BID #: 23-012  
DATE ADVERTISED: January 17, 2023  
DATE RECEIVED: February 9, 2023  
CONTRACT PERIOD: Project completion: (270) calendar days after notice to proceed upon approval by the Essex County Board of Commissioners  
BASIS OF AWARD: Lowest responsive/responsible bidder  
COMMODITY: To Provide the Construction of the New D. Bilal Beasley Community  
DESCRIPTION: Center at Irvington Park as per specifications.

**CONDITIONS:**

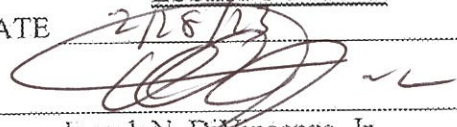
The award of this contract is subject to the approval of the Essex County Board of County Commissioners by resolution and such resolution will be prepared and presented to the Board at its regularly scheduled meeting. This contract becomes effective & binding upon adoption by resolution by the Essex County Board of County Commissioners.

The vendor identified above hereby agrees to comply with the terms and conditions of the bid specifications, advertisement, and vendor's proposal, as submitted by the vendor listed above under the bid number stated above, which are incorporated herein and made part hereof, and to faithfully perform the obligations therein to furnish & deliver the good or service listed above. This vendor has agreed to participate in the Voluntary Cooperative Purchasing System extending exact pricing & equipment specifications to all County Cooperative Agencies for the term of this contract. YES \_\_\_\_\_ NO \_\_\_\_\_ DOES NOT APPLY X \_\_\_\_\_

**PAYMENT TERMS:**

CONTRACT PERIOD: Project completion (270) calendar days after notice to proceed upon approval by the Board of Commissioners.  
AWARDED ITEMS: Proposal page line items: 1, 2, & 3 (attached)  
AMOUNT NOT TO EXCEED: \$10,537,000.00 (total bid amount)  
MONTHLY PAYMENT: N/A  
ANNUAL PAYMENT: N/A  
TOTAL AWARD TO VENDOR \$10,537,000.00 (total bid amount)

**ESSEX COUNTY**

DATE 2/28/23  
  
Joseph N. DiVincenzo, Jr.

**VENDOR**

DATE 2/9/23  
  
Authorized Vendor Signature Svetozar Savreski  
President  
WITNESS:   
Marinela Skurteska

ATTEST: \_\_\_\_\_  
Deborah Davis Ford: Clerk of the Board



**BID PROPOSAL PRICING PAGE**

For the purpose of: CONTRACT NO. 23-012

CONSTRUCTION OF D. BILAL BEASLEY-COMMUNITY CENTER  
BUILDING AT IRVINGTON PARK

In the COUNTY OF ESSEX

To the Governing Body of COUNTY OF ESSEX.

The Undersigned hereby declares that he has carefully examined the Advertisement, Standard Specifications, Supplementary Specifications, Plans and Form of Contract and Bond for the Project named above; that he carefully examined the site of the Project; and that he will carry out and complete said project as specified and delineated on the contract documents (Plans and Specifications).

It is understood that the TOTAL BID AMOUNT (Lump Sum) stated by the undersigned is based on the Base Bid plus Allowances, as shown on page 63, and will control the awarding of the Contract.

The undersigned proposes to furnish and deliver the above project pursuant to the bid specification in the following total amount (total base bid plus allowances from the following proposal page/worksheet):

\$ 10,537,000.00  
Total Bid Amount (Base Bid plus Allowances) in numbers

Ten Million Five Hundred Thirty Seven Thousand & 00/100  
Total Bid Amount (Base Bid plus Allowances) written

APS Contracting, Inc

Company Name

155-161 Pennsylvania Avenue

Address

Paterson

City

NJ  
State

07503  
Zip Code

[Signature]  
Signature of Authorized Agent

2/9/2023  
Date

Svetozar Savreski

Type or Print Name

President  
Title

973-754-1980  
Telephone Number

973-754-1909  
Fax Number

mail@apscontracting.us  
E-Mail Address

Corporate Seal

**MUST BE COMPLETED AND CORPORATE SEAL**

**ESSEX COUNTY BID PROPOSAL**  
**CONSTRUCTION OF D. BILAL BEASLEY – COMMUNITY CENTER BUILDING**  
**AT IRVINGTON PARK, TOWNSHIP OF IRVINGTON**

**BID NUMBER #23-012.**

**TO: Purchasing Director, Room #335, Hall of Records, County of Essex, New Jersey**

The undersigned proposes to furnish labor, equipment and material required to comply in every detail indicated and/or outlined in the specifications herein for the Construction of D. Bilal Beasley – Community Center Building and Site Improvements at Irvington Park, Township of Irvington.

ITEM No.	ITEM DESCRIPTION	QUANTITY	UNITS	AMOUNT
1.	Lump Sum Price for the Construction of D. Bilal Beasley – Community Center Building and Site Improvements at Irvington Park as shown on the construction documents.	1.0	LUMP SUM	\$9,737,000.00
2.	Contingency Allowance	1.0	LUMP SUM	\$ 450,000.00
3.	Utilities Allowance	1.0	LUMP SUM	\$ 350,000.00
TOTAL BID AMOUNT:				\$10,537,000.00

Company Name: APS Contracting, Inc.

Signature: [Signature]

(To be signed by authorized officer of the firm)

Date: 2/9/2023

Print Name: Svetozar Samesri

Title: President

APS Contracting Inc.  
155-161 Pennsylvania Ave.  
Paterson NJ 07503



**COUNTY OF ESSEX  
DEPARTMENT OF PUBLIC WORKS**

**DIVISION OF ENGINEERING  
900 BLOOMFIELD AVENUE  
VERONA, NEW JERSEY 07044-1393**

**☎ (973) 226-8500**

**☎ (973) 226-7469**

**JOSEPH N. DIVINCENZO, JR.  
COUNTY EXECUTIVE**

**Sanjeev Varghese, P.E., P.P.  
Director & County Engineer**

**Luis E. Rodriguez  
Assistant County Engineer**

**MEMORANDUM**

**TO: JULIUS N. COLTRE, DIRECTOR  
OFFICE OF PURCHASING**

**FROM: SANJEEV VARGHESE, P.E., P.P. *SN***

**DATE: FEBRUARY 9, 2023**

**RE: CONSTRUCTION OF D. BILAL BEASLEY-COMMUNITY CENTER  
BUILDING AND OTHER IMPROVEMENTS AT IRVINGTON PARK  
BID #23-012**

*To: C Calvante  
for man's  
and process.  
JH  
2/9/23*

We have received five (5) bids received for the above referenced project. Following is the summary of the Total bid Amount:

1. APS Contracting, Inc.	\$ 10,537,000.00
1. Grove Contracting, LLC	\$ 10,619,000.00
3. Epic Management, Inc.	\$ 10,798,000.00
4. M&M Construction Company, Inc.	\$ 11,535,000.00
5. Molba Construction	\$ 13,669,929.00

Bids have been reviewed and award is recommended to the apparent lowest responsive and responsible bidder, APS Contracting, Inc, located at 155-161 Pennsylvania Avenue, Paterson New Jersey 07503, in the amount not to exceed of \$10,537,000.

This project will be funded by Essex County Department of Parks, account information will be provided later. Should you have any questions concerning the above, please do not hesitate to contact this office.

SV/LER

L:\PROJECTS-SPARKS\IRVINGTON PARK\NEW BUILDING - 2022\BID #23-012\Award-IrvP #23-012.doc

pc: Daniel K. Salvante, Director  
Robert Masino, Supervising Administrative Analyst  
Henry Chamesian, ECDPW

*Putting Essex County First*

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER



## STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

**Taxpayer Name:** APS CONTRACTING, INC.

**Trade Name:**

**Address:** 155-161 PENNSYLVANIA AVE  
PATERSON, NJ 07503-2133

**Certificate Number:** 0752038

**Effective Date:** November 29, 1999

**Date of Issuance:** February 09, 2023

**For Office Use Only:**  
**20230209164846891**

Certificate Number  
624992

Registration Date: 06/21/2022  
Expiration Date: 06/20/2024



## State of New Jersey

### Department of Labor and Workforce Development Division of Wage and Hour Compliance

### Public Works Contractor Registration Act

Pursuant to N.J.S.A. 34:11-56.48, et seq. of the Public Works Contractor Registration Act, this certificate of registration is issued for purposes of bidding on any contract for public work or for engaging in the performance of any public work to:

AP3 Contracting, Inc.  
**2022**

Responsible Representative(s):

Svetozar Savreski, President

*Robert Asaro-Angelo*

Robert Asaro-Angelo, Commissioner  
Department of Labor and Workforce Development

NON TRANSFERABLE

This certificate may not be transferred or assigned and may be revoked for cause by the Commissioner of Labor and Workforce Development.

**STATEMENT OF  
CERTAIN POLITICAL CONTRIBUTIONS  
MADE AFTER JULY 11, 1986**

(This statement is part of the proposal packet)

Ordinance Number 0-86-0007, as amended by Ordinance Number 0-95-0003, adopted by the Board of Commissioners of the County of Essex, requires that all proposals for negotiated contracts submitted by individuals and/or business entities seeking to provide goods or to perform services for the County of Essex shall contain a statement setting forth each political contribution by them of \$500.00 or more made within five years next preceding the date of said contract, either directly or indirectly, to any County elected political official, County political party and/or County official, political organization, or any State political party.

Set forth name of County elected official, County political party and/or County official, political organization, or State political party to whom a political contribution of \$500.00 or more was made by proposers within five (5) years of the date hereof.

If none, write "NONE".

Name

Amount

None.

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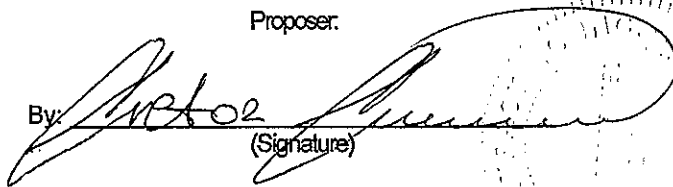
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APS Contracting, Inc

Proposer:

By:



(Signature)

Name of Signatory: Svetozar Savreski - President  
(Print or Type)

**COMPLETE AND SIGNED**

APS Contracting Inc.  
155-161 Pennsylvania Ave.  
Paterson NJ 07503

# STATE OF NEW JERSEY

DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT  
CONSTRUCTION EEO COMPLIANCE MONITORING PROGRAM

FORM AA-201

Revised 11/11

## INITIAL PROJECT WORKFORCE REPORT CONSTRUCTION

Official Use Only

Assignment

Code

For instructions on completing the form, go to: [https://www.nj.gov/treasury/contract\\_compliance/documents/pdf/forms/aa201ins.pdf](https://www.nj.gov/treasury/contract_compliance/documents/pdf/forms/aa201ins.pdf)

1. FID NUMBER 22-3706453		2. CONTRACTOR ID NUMBER 5325		5. NAME AND ADDRESS OF PUBLIC AGENCY AWARING CONTRACT Name: <u>County of Essex</u> Address: <u>465 Dr, Martin Luther King Blvd.</u> <u>Newark, NJ 07102</u>									
3. NAME AND ADDRESS OF PRIME CONTRACTOR APS CONTRACTING, INC (Name) 155-161 Pennsylvania Ave (Street Address) Paterson NJ 07503 (City) (State) (Zip Code)				CONTRACT NUMBER <u>23-012</u>		DATE OF AWARD 02/09/2023		DOLLAR AMOUNT OF AWARD \$9,737,000.00					
4. IS THIS COMPANY MINORITY OWNED <input type="checkbox"/> OR WOMAN OWNED <input checked="" type="checkbox"/>				6. NAME AND ADDRESS OF PROJECT Name: <u>Irvington Park</u> Address: <u>D. Bidal Beasley Community Center</u> <u>Irvington, NJ 07111</u> COUNTY <u>Essex</u>		7. PROJECT NUMBER		8. IS THIS PROJECT COVERED BY A PROJECT LABOR AGREEMENT (PLA)? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>					
9. TRADE OR CRAFT		PROJECTED TOTAL EMPLOYEES				PROJECTED MINORITY EMPLOYEES				PROJECTED PHASE - IN DATE		PROJECTED COMPLETION DATE	
		MALE		FEMALE		MALE		FEMALE					
		J	AP	J	AP	J	AP	J	AP				
1. ASBESTOS WORKER		0	0	0	0	0	0	0	0	03/06/2023		12/01/2023	
2. BRICKLAYER OR MASON		4	0	0	0	2	0	0	0				
3. CARPENTER		6	0	0	0	2	0	0	0				
4. ELECTRICIAN		4	0	0	0	2	0	0	0				
5. GLAZIER		2	0	0	0	0	0	0	0				
6. HVAC MECHANIC		2	0	0	0	0	0	0	0				
7. IRONWORKER		3	0	0	0	2	0	0	0				
8. OPERATING ENGINEER		2	0	0	0	2	0	0	0				
9. PAINTER		4	0	0	0	2	0	0	0				
10. PLUMBER		2	0	0	0	1	0	0	0				
11. ROOFER		6	0	0	0	2	0	0	0				
12. SHEET METAL WORKER		4	0	0	0	2	0	0	0				
13. SPRINKLER FITTER		2	0	0	0	1	0	0	0				
14. STEAMFITTER		0	0	0	0	0	0	0	0				
15. SURVEYOR		1	0	0	0	0	0	0	0				
16. TILER		2	0	0	0	1	0	0	0				
17. TRUCK DRIVER		2	0	0	0	2	0	0	0				
18. LABORER		8	0	0	0	3	0	0	0				
19. OTHER		0	0	0	0	0	0	0	0				
20. OTHER		0	0	0	0	0	0	0	0				

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

(Signature)

Savreski, Svetozar

10. (Please Print Your Name)

(Title)

973-754-1980

02/10/2023

(Area Code)

(Telephone Number)

(Ext.)

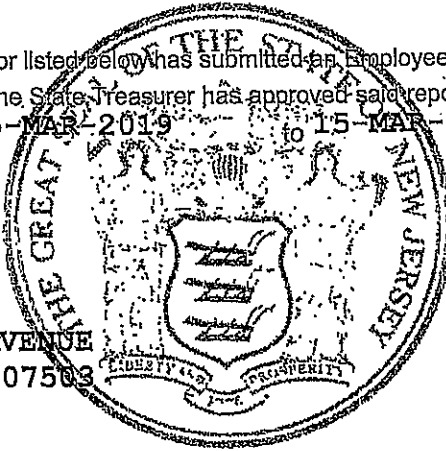
(Date)



**CERTIFICATE OF EMPLOYEE INFORMATION REPORT**  
**RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-MAR-2019** to **15-MAR-2026**

**APS CONTRACTING, INC.**  
**155-161 PENNSYLVANIA AVENUE**  
**PATERSON NJ 07503**



*Elizabeth Maher Muoio*

**ELIZABETH MAHER MUOIO**  
State Treasurer



## State of New Jersey

**PHILIP D. MURPHY**  
*Governor*

DEPARTMENT OF THE TREASURY  
DIVISION OF REVENUE & ENTERPRISE SERVICES  
P.O. BOX 026  
TRENTON, NJ 08625-034  
PHONE: 609-292-2146 FAX: 609-984-6679

**SHEILA Y. OLIVER**  
*Lt. Governor*

**ELIZABETH MAHER MUOIO**  
*Acting State Treasurer*

### APPROVED

*under the*

Small Business Set-Aside Act and Minority and Women Certification Program

This certificate acknowledges APS CONTRACTING, INC. as a **Category 6 approved Small Business Enterprise** that has met the criteria established by N.J.A.C. 17:13 and/or 17:14.

This registration will remain in effect for three years. Annually the business must submit, not more than 60 days prior to the anniversary of the registration notice, an annual verification statement in which it shall attest that there is no change in the ownership, revenue eligibility or control of that business.

If the business fails to submit the annual verification statement by the anniversary date, the SBE registration will lapse and the business SBE status will be revoked in the New Jersey Selective Assistance Vendor information (NJSAVI) database that lists registered small businesses. If the business seeks to be registered again, it will have to reapply and complete the New SBE online registration located at:  
[www.njportal.com/DOR/SBERegistry/](http://www.njportal.com/DOR/SBERegistry/).



Peter Lowicki  
Deputy Director

Issued: 5/17/2018  
Certification Number: A0070-78

Expiration: 5/17/2021





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/10/2023

PRODUCER J.J. Farber-Lottman Co., Inc. 200 Route 5 / P.O. Box 613 Palisades Park, NJ 07650	Fax# Phone#	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED APS Contracting, Inc. 155-161 Pennsylvania Avenue Paterson, NJ 07503	Fax# Phone#	
INSURERS AFFORDING COVERAGE		NAIC #
INSURER A: Travelers Property Casualty Co of Am.		25674
INSURER B: Travelers Casualty and Surety Co		31194
INSURER C: Markel American Insurance Co		38970
INSURER D: Endurance American Ins Co		41718
INSURER E: Navigators Insurance Company		42307

**COVERAGES**

Insurer F: Shelter Point Insurance Co; NAIC #81434

Insurer G: AGS Marine Insurance Co. NAIC #22837


THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	DT-CO-3S111441-IND-22	06/22/22	06/22/23	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COM/OP AGG \$4,000,000
A		<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	BA-3S120093-22-26-G	06/22/22	06/22/23	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
C		<b>EXCESS / UMBRELLA LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE	MKLM1EUL101892	06/22/22	06/22/23	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
D		<input type="checkbox"/> DEDUCTIBLE RETENTION \$	EXC30008076401	06/22/22	06/22/23	Each occurrence \$5,000,000 Aggregate \$5,000,000 \$
B		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below Y/N <input checked="" type="checkbox"/> N	UB-3S119334-22-26-G	06/22/22	06/22/23	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
E		<b>POLLUTION</b>	NY22ECPX00291NV	06/22/22	06/22/23	LIMITS 5,000,000
F		<b>DISABILITY</b>	D308145	11/19/21	11/18/23	LIMITS STATUTORY
G		<b>EQUIPMENT</b>	MXI930853870646	09/29/22	09/29/23	LEAS/RENT 300,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Additional Insured: See Attachment.

Project: Bid #: 23-012 Construction of D. Bilal Beasley Community Center at Irvington Park

CERTIFICATE HOLDER Fax# County of Essex 465 Dr. Martin Luther King Blvd. Newark, NJ 07102	Phone#	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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## **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## **DISCLAIMER**

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Additional Insured: The County of Essex, New Jersey, French & Parrello Associates, Di Cara Rubino Architects, Harrison-Hamnett, P.C and their respective members, elected officials, employees, agents and representatives. Including all Departments, Boards, Committees, Commissions or Other Entities Established by Them or Operating Under Their Control and All Employees, Trustees, Commissioners, Committee Members, Aides, Advisory Board Members, Elected and Appointed Officials, Volunteers and Students While Acting Within the Scope of Their Duties On Behalf of The County of Essex, New Jersey are named as Additional Insured on a Primary Non-Contributory basis with respect to the work and operations of APS Contracting, Inc. only, on their behalf as per their written contract requiring the same. Waiver of Subrogation applies. Subject to policy conditions and exclusions.





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/10/2023

PRODUCER J.J. Farber-Lottman Co., Inc. 200 Route 5 / P.O. Box 613 Palisades Park, NJ 07650	Fax# Phone#	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED APS Contracting, Inc. 155-161 Pennsylvania Avenue Paterson, NJ 07503	Fax# Phone#	
INSURERS AFFORDING COVERAGE		NAIC #
INSURER A: Travelers Property Casualty Co of Am.		25674
INSURER B: Travelers Casualty and Surety Co		31194
INSURER C: Markel American Insurance Co		38970
INSURER D: Endurance American Ins Co		41718
INSURER E: Navigators Insurance Company		42307

**COVERAGES**

Insurer F: Shelter Point Insurance Co; NAIC #81434

Insurer G: AGS Marine Insurance Co. NAIC #22837


THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOG	DT-CO-3S111441-IND-22	06/22/22	06/22/23	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS	BA-3S120093-22-26-G	06/22/22	06/22/23	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
C		EXCESS / UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE	MKLM1EUL101892	06/22/22	06/22/23	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
D		DEDUCTIBLE RETENTION \$	EXC30008076401	06/22/22	06/22/23	Each occurrence \$5,000,000 Aggregate \$5,000,000
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	UB-3S119334-22-26-G	06/22/22	06/22/23	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
E		POLLUTION	NY22ECPX00291NV	06/22/22	06/22/23	LIMITS 5,000,000
F		DISABILITY	D308145	11/19/21	11/18/23	LIMITS STATUTORY
G		EQUIPMENT	MXI930853870646	09/29/22	09/29/23	LEAS/RENT 300,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Additional Insured: See Attachment.

Project: Bid #: 23-012 Construction of D. Bilal Beasley Community Center at Irvington Park

CERTIFICATE HOLDER County of Essex 465 Dr. Martin Luther King Blvd. Newark, NJ 07102	Fax# Phone#	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/10/2023

<b>PRODUCER</b> Fax#      Phone# J.J. Farber-Lottman Co., Inc. 200 Route 5 / P.O. Box 613 Palisades Park, NJ 07650		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
<b>INSURED</b> Fax#      Phone# APS Contracting, Inc. 155-161 Pennsylvania Avenue Paterson, NJ 07503		<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>
		INSURER A: Travelers Property Casualty Co of Am.	25674
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INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC	DT-CO-3S111441-IND-22	06/22/22	06/22/23	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A		<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	BA-3S120093-22-26-G	06/22/22	06/22/23	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
C		<b>EXCESS / UMBRELLA LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE	MKLM1EUL101892	06/22/22	06/22/23	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
D		<input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	EXC30008076401	06/22/22	06/22/23	Each occurrence \$5,000,000 Aggregate \$5,000,000
B		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	UB-3S119334-22-26-G	06/22/22	06/22/23	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
E		<b>POLLUTION</b>	NY22ECPX00291NV	06/22/22	06/22/23	LIMITS 5,000,000
F		<b>DISABILITY</b>	D308145	11/19/21	11/18/23	LIMITS STATUTORY
G		<b>EQUIPMENT</b>	MXI930853870646	09/29/22	09/29/23	LEAS/RENT 300,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Additional Insured: See Attachment.

Project: Bid #: 23-012 Construction of D. Bilal Beasley Community Center at Irvington Park

<b>CERTIFICATE HOLDER</b> Fax#      Phone# County of Essex 465 Dr. Martin Luther King Blvd. Newark, NJ 07102	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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Additional Insured: The County of Essex, New Jersey, French & Parrello Associates, Di Cara Rubino Architects, Harrison-Hamnett, P.C and their respective members, elected officials, employees, agents and representatives. Including all Departments, Boards, Committees, Commissions or Other Entities Established by Them or Operating Under Their Control and All Employees, Trustees, Commissioners, Committee Members, Aldes, Advisory Board Members, Elected and Appointed Officials, Volunteers and Students While Acting Within the Scope of Their Duties On Behalf of The County of Essex, New Jersey are named as Additional Insured on a Primary Non-Contributory basis with respect to the work and operations of APS Contracting, Inc. only, on their behalf as per their written contract requiring the same. Waiver of Subrogation applies. Subject to policy conditions and exclusions.

6. **Additional Insureds:**

The following shall be added as ADDITIONAL INSURED on all liability policies (except Workers' Compensation and Professional Liability Policy, where applicable), for ongoing operations and completed operations on a primary noncontributory basis;

*The County of Essex, New Jersey, including all Departments, Boards, Committees, Commissions or Other Entities Established by Them or Operating Under Their Control and All Employees, Trustees, Commissioners, Committee Members, Aides, Advisory Board Members, Elected and Appointed Officials, Volunteers and Students While Acting Within the Scope of Their Duties On Behalf of The County of Essex, New Jersey.*

7. **Additional Insurance Requirements:**

a. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except that after thirty (30) days' prior to written notice by certified mail, return receipt requested, has been given to the County. The Insurer shall provide the County with notification of any cancellation, non-renewal, major change, modification or reduction in coverage.

b. Regardless of these contract minimum insurance requirements, the Provider of Goods and Service's and its insurer shall agree to commit the Provider of Goods and Service's full policy limits and these minimum requirements shall not restrict the Provider of Goods and Service's liability or coverage limit obligations.

c. The Provider of Goods and Services shall furnish the County of Essex with the Insurance Certificates and applicable Endorsements for all required insurance, prior to the County's execution of the Agreement and start of work. Proper Address for Certificates, Endorsements and Notices shall be:

County of Essex  
Risk Management Department - Hall of Records/Room 510  
465 Dr. Martin Luther King Blvd.  
Newark, NJ 07102

Provider of Goods and Services shall waive all rights of recovery against the County and all the additional insured's for loss or damage covered by any of the insurance maintained by the Provider of Goods and Services, where applicable by law.

PRINCIPAL:

Aps Contracting, Inc  
(Bidder/Respondent's Company Name)

[Signature]  
(Authorized Signature on Behalf of the Principal)

Svetozar Savreski  
(Print Name)

Sworn to and subscribed  
before me on this 9 day

of February, 2023

[Signature]  
NOTARY PUBLIC

INSURER:

JTS Parker Lottman Co, Inc.  
(Insurer's Company Name)

[Signature]  
(Authorized Signature on behalf of the Insurer)

Anita Kitanovski  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES 01.03.2028



RECEIVED

2023 FEB 14 PM 1:37

OFFICE OF PURCHASING  
Hall of Records, Room 335, Newark, New Jersey 07102  
(Tel) 973-621-5100 – (Fax) 973-621-5109  
[www.essexcountynj.org](http://www.essexcountynj.org)

Joseph N. DiVincenzo, Jr.  
Essex County Executive

Julius N. Coltre, QPA  
Purchasing Director

MEMORANDUM

TO: Essex County Counsel

FROM: Julius N. Coltre, MPA, QPA Purchasing Director

DATE: February 14, 2023

RE: PERFORMANCE BOND – Bid#23-012  
FROM: APS Contracting, Inc.  
AMOUNT: \$10,537,000.00

APPROVED AS TO FORM

ESSEX COUNTY COUNSEL

Project Name and Number	Assigned Staff Member	Contact Number
New D. Bilal Beasley Community Center in Irvington Park	Christopher Calvanese	621-5102

Please be advised that the attached Performance Bond is being submitted to the Office of County Counsel for review. This document is mandatory in order for the Essex County Board of Commissioners to award the above project. If the bond is approved as sufficient, please have the Office of the Treasurer contact the assigned staff member from the Office of Purchasing after it is signed and approved by Friday February 17, 2023. If the Performance Bond is rejected, please return directly to the Office of Purchasing, Attn: Julius N. Coltre, Purchasing Director

JNC:cmc

Attachments

PUTTING ESSEX COUNTY FIRST

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**

**VENDOR**

NAME: APS Contracting, Inc.  
ADDRESS: 155-161 Pennsylvania Ave.  
Paterson, N.J. 07503

**COUNTY**

County of Essex  
Hall of Records  
465 Dr. Martin Luther King Blvd.  
Newark, New Jersey 07102

BID #: 23-012  
DATE ADVERTISED: January 17, 2023  
DATE RECEIVED: February 9, 2023  
CONTRACT PERIOD: Project completion: (270) calendar days after notice to proceed upon approval by the Essex County Board of Commissioners  
BASIS OF AWARD: Lowest responsive/responsible bidder  
COMMODITY: To Provide the Construction of the New D. Bilal Beasley Community  
DESCRIPTION: Center at Irvington Park as per specifications.

**CONDITIONS:**

The award of this contract is subject to the approval of the Essex County Board of County Commissioners by resolution and such resolution will be prepared and presented to the Board at its regularly scheduled meeting. This contract becomes effective & binding upon adoption by resolution by the Essex County Board of County Commissioners.

The vendor identified above hereby agrees to comply with the terms and conditions of the bid specifications, advertisement, and vendor's proposal, as submitted by the vendor listed above under the bid number stated above, which are incorporated herein and made part hereof, and to faithfully perform the obligations therein to furnish & deliver the good or service listed above. This vendor has agreed to participate in the Voluntary Cooperative Purchasing System extending exact pricing & equipment specifications to all County Cooperative Agencies for the term of this contract. YES \_\_\_\_\_ NO \_\_\_\_\_ DOES NOT APPLY X \_\_\_\_\_

**PAYMENT TERMS:**

CONTRACT PERIOD: Project completion (270) calendar days after notice to proceed upon approval by the Board of Commissioners.  
AWARDED ITEMS: Proposal page line items: 1, 2, & 3 (attached)  
AMOUNT NOT TO EXCEED: \$10,537,000.00 (total bid amount)  
MONTHLY PAYMENT: N/A  
ANNUAL PAYMENT: N/A  
TOTAL AWARD TO VENDOR: \$10,537,000.00 (total bid amount)

**ESSEX COUNTY**

DATE \_\_\_\_\_

Joseph N. DiVincenzo, Jr.

ATTEST:

Deborah Davis Ford: Clerk of the Board

**VENDOR**

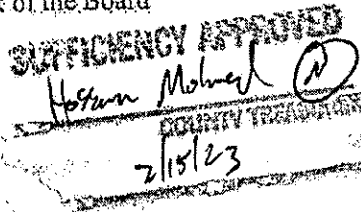
DATE 2/9/23

Authorized Vendor Signature

Svetlana Savva  
President

WITNESS:

Marinela Skurteska



NEW JERSEY STATUTORY PERFORMANCE AND PAYMENT BOND

Bond No. 3276734

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, APS Contracting, Inc. as Principal,  
and the The Cincinnati Insurance Company incorporated under the laws of the State of OHIO having an office at  
Fairfield, OH 45014 and duly authorized to transact business in the State of New Jersey, as Surety,  
are held and firmly bound unto the COUNTY OF ESSEX, 465 Dr. Martin Luther King Blvd., Newark, New Jersey 07102 in the penal sum of  
Ten Million Five Hundred Thirty-Seven Thousand and 00/100 DOLLARS for the payment of which sum well and truly to be  
made, we hereby jointly and severally, bind ourselves, our heirs, executors, administrators, successors and assigns.

SIGNED and sealed this 10th day of February, 2023, A.D.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, WHEREAS, the above named Principal did on the \_\_\_\_\_ day of \_\_\_\_\_, enter into a written contract with the COUNTY OF ESSEX, Hall of Records, 465 Dr. Martin Luther King Blvd., Newark, NJ 07102 for 23-012 To Provide the Construction of the New D. Bilal Beasley Community Center Building at Irvington Park

which said contract is made a part of this bond as though set forth herein:

NOW, if the said Principal shall well and faithfully do and perform the things agreed to be done and performed according to the terms of the said contract, and shall pay all lawful claims of beneficiaries as defined in N.J.S.A. 2A:44-143 for labor performed or materials, provisions, provander or other supplies or teams, fuels, oils, implements or machinery furnished, used or consumed in the carrying forward, performing or completing of said contract, we agreeing and assenting that this undertaking shall be for the benefit of any beneficiary as defined in N.J.S.A. 2A:44-143 having a just claim, as well as for the obligee herein, then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the said contract, or in or to the plans or specifications therefore shall in anywise affect the obligation of said surety on its bond.

This bond is given compliance with the requirements of the statutes of the State of New Jersey in respect to bonds contractors on public works, revised Statutes of New Jersey, 1937, sections 2A:44-143 to 2A:44-147, and amendments thereof. Recovery of any claimant under this bond shall be subject to the conditions and provisions of N.J.S.A. 2A:44-143 to 2A:44-147.

Witness

N/A  
(If Individual or Partnership)

APS Contracting, Inc.  
Principal

Attest  
Marinela Skerckeska  
(If Corporation)

By: Svetozar Savreski  
Svetozar Savreski President

The Cincinnati Insurance Company  
Surety

Denise Medlar  
Denise Medlar Witness for Surety

By: Joseph T. Catania  
Joseph T. Catania Attorney-in-Fact

c/Performance Payment Bond



ACKNOWLEDGMENT OF PRINCIPAL  
(Individual or Partnership)

STATE OF NS/A

ss:

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally appeared the above named \_\_\_\_\_ to me known and known to me to be the same described in and who executed the above instrument and duly acknowledged the execution of the same.

Notary Public of the State of \_\_\_\_\_  
County of \_\_\_\_\_

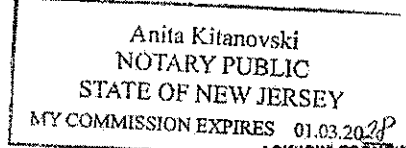
(Corporation)

STATE OF NT

ss:

COUNTY OF Passaic

On this 9 day of February, 2023, before me personally appeared Svetozar Samerski to me known, who, being by me duly sworn, did depose and say that he/she resides at 24 Wane Road Voor Saddle River, NJ 07458 that he/she is the President of APS Contracting, Inc. the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order.



[Signature]  
Notary Public of the State of NT  
County of Passaic

ACKNOWLEDGMENT OF SURETY

STATE OF New Jersey

ss:

COUNTY OF Bergen

On this 10th day of February, 2023, before me personally appeared Joseph T. Catania to me known, who, being by me duly sworn did depose and say that he/she resides at West Chester, PA that he/she is the Attorney-in-Fact of the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order; and deponent further says that he/she is acquainted with The Cincinnati Insurance Company and knows him/her to be the Attorney-in-Fact subscribed to the within instrument is in the genuine and handwriting of the said Joseph T. Catania and was subscribed thereto by like order of the Board of Directors in the presence of deponent.

[Signature]  
Notary Public of the State of \_\_\_\_\_  
County of \_\_\_\_\_

MARY LAWRENCE  
NOTARY PUBLIC - STATE OF NEW JERSEY  
Comm. # 50037749  
My Commission Expires 05/06/2026

c/Performance Payment Bond

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

Richard G. Anderson; Joseph T. Catania; Gina M. Semonelle; Mary Lawrence; Denise A. Medlar;  
Brent D. Headley; Christopher R. Smith and/or Gemma B. Fendler

of Wilmington, Delaware

their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows:

Any such obligations in the United States, up to  
Fifty Million and No/100 (\$50,000,000.00)

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.



STATE OF OHIO )  
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

*Stephen A. Justice*

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



*Keith Collett*  
Keith Collett, Attorney at Law  
Notary Public - State of Ohio

My commission has no expiration date.  
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 10th day of February, 2023



*Ed H.*



The Cincinnati Insurance Company • The Cincinnati Indemnity Company  
The Cincinnati Casualty Company • The Cincinnati Specialty Underwriters Insurance Company  
The Cincinnati Life Insurance Company

## SURETY DISCLOSURE STATEMENT AND CERTIFICATION

Pursuant to N.J.S.A. 2A:44-143

CINCINNATI INSURANCE COMPANY (hereafter called "Surety"), the Surety on the attached bond, hereby certifies the following:

- (1) The Surety meets the applicable surplus requirements of R.S.17:17-6 or R.S.17:17-7 as of the Surety's most current annual filing with the New Jersey Department of Insurance.
- (2) The surplus of Cincinnati Insurance Company as determined in accordance with the applicable laws of this State totals \$7,246,752,970 as of December 31, 2021 which amount has been certified by Deloitte and Touche, LLP and is on file with the National Association of Insurance Commissioners.
- (3) Cincinnati Insurance Company has received from the United States Secretary of the Treasury, a Certificate of Authority pursuant to 31 U.S.C. 9305, with an underwriting limitation established therein on July 1, 2022 in the amount of \$712,110,000.
- (4) The amount of the bond to which this statement and certification is attached is \$10,537,000.00.
- (5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3) above, then for each contract of reinsurance:
  - (a) The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:  
*Not Applicable*
  - and;
  - (b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243 (C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

### CERTIFICATION

I, Joseph T. Catania, as Attorney-in-Fact of Cincinnati Insurance Company, an insurance company domiciled in the State of Ohio, do hereby certify that, to the best of my knowledge, the foregoing statements made by me on behalf of Cincinnati Insurance Company are true, and acknowledge that if any of those statements made by me on behalf of Cincinnati Company are false, this bond is voidable.

CINCINNATI INSURANCE COMPANY

By: 

Signature

Joseph T. Catania

Printed Name and Title

Mailing Address: P.O. Box 145496 • Cincinnati, Ohio 45250-5496 • Headquarters: 6200 S. Gilmore Road • Fairfield, Ohio 45014-5141  
www.cinfin.com • 513-870-2000

NO 4105 NJ 07 22

**SURETY DISCLOSURE STATEMENT AND CERTIFICATION**

The Cincinnati Insurance Company

\_\_\_\_\_ surety(ies) on the attached bond, hereby certifies the following:

1. The surety meets the applicable capital and surplus requirements of N.J.S.A. 17:17-6 or N.J.S.A. 17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance.
2. The capital (where applicable) and surplus, as determined in accordance with the applicable laws of the State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amount(s) as of the calendar year ended December 31, 20 21 (most recent calendar year for which capital and surplus amounts are available), which amounts have been certified as indicated by certified public accountants (indicating separately for each surety's capital and surplus amounts, together with the name and address of the firm of certified public accountants that shall have certified those amounts): See Attached
3. (a) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein and the date as of which that limitation was effective is as follows (indicating for each such surety that surety's underwriting limitation and the effective date thereof):  
See Attached
- (b) With respect to each surety participating in the issuance of the attached bond that has not received such a certificate of authority from the United States Secretary of the Treasury, the underwriting limitation of that surety as established pursuant to N.J.S.A. 17:18-9 as of (date on which such limitation was so established) is as follows (indicating for each such surety that surety's underwriting limitation and the date on which that limitation was established):  
See Attached
4. The amount of the bond to which this statement and certification is attached is  
\$ 10,537,000.00

**FILL IN THE BLANKS**

5. If, by virtue of one and more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3) (a) or (3) (b) above, or both, then for each such contract of reinsurance:

- a. The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:

See Attached

- (b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5) (a) satisfies the credit for reinsurance established under P.L. 1993, c. 243 (N.J.S.A. 17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

CERTIFICATION

(to be completed by an authorized agent for each surety on the bond)

I, Joseph T. Catania (name of agent), Attorney-in-Fact as (title of agent) for The Cincinnati Insurance Company (name of surety), a corporation/mutual insurance company/other (indicate type of business organization) (circle one) domiciled in Ohio (state of domicile), DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements are false, this bond is VOID.

signature of certifying agent

Joseph T. Catania  
printed name of certifying agent

Attorney-in-Fact  
title of certifying agent

**NOTE: Bid Bonds that contain the following language: "shall pay the Obligor the difference..." are unacceptable, the law is 10% of the bid amount not to exceed \$20,000.00.**

**FILL IN THE BLANKS**



The Cincinnati Insurance Company • The Cincinnati Indemnity Company  
The Cincinnati Casualty Company • The Cincinnati Specialty Underwriters Insurance Company  
The Cincinnati Life Insurance Company

THE CINCINNATI INSURANCE COMPANY  
FINANCIAL STATEMENT  
DECEMBER 31, 2021

ASSETS

Cash	\$ 736,082,418
Bonds	6,844,952,546
Stocks	7,451,244,309
Agents Balance Receivable	1,938,634,121
All Other Admitted Assets	723,599,817
<b>TOTAL ADMITTED ASSETS</b>	<b><u>\$17,694,513,211</u></b>

LIABILITIES

Reserve for Losses and Loss Expense	\$ 6,143,649,648
Reserve for Unearned Premiums	2,930,583,862
All Other Liabilities	1,373,526,731
Capital	\$ 3,586,355
Surplus	7,243,166,615
	<u>7,246,752,970</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>\$17,694,513,211</u></b>

State of Ohio  
County of Butler

Theresa A. Hoffer, Treasurer of The Cincinnati Insurance Company, being duly sworn for herself, deposes and says that she is the above described officer of the said company and that the above Financial Statement as of December 31, 2021 is true and correct to the best of her knowledge and belief.

Theresa A. Hoffer  
Senior Vice President, Treasurer

Subscribed and sworn before me this 18<sup>th</sup> day of February 2022.



JOHN K. COPELLA  
Notary Public, State of Ohio  
My Commission Expires 03-18-2023

NEW JERSEY STATUTORY PERFORMANCE AND PAYMENT BOND

Bond No. 3276734

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, APS Contracting, Inc. as Principal,  
and the The Cincinnati Insurance Company incorporated under the laws of the State of OHIO, having an office at  
Fairfield, OH 45014 and duly authorized to transact business in the State of New Jersey, as Surety,  
are held and firmly bound unto the COUNTY OF ESSEX, 465 Dr. Martin Luther King Blvd., Newark, New Jersey 07102 in the penal sum of  
Ten Million Five Hundred Thirty-Seven Thousand and 00/100 DOLLARS for the payment of which sum well and truly to be  
made, we hereby jointly and severally, bind ourselves, our heirs, executors, administrators, successors and assigns.

SIGNED and sealed this 10th day of February, 2023 A.D.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, WHEREAS, the above named Principal did on the \_\_\_\_\_ day of \_\_\_\_\_, enter into a written contract with the COUNTY OF ESSEX, Hall of Records, 465 Dr. Martin Luther King Blvd., Newark, NJ 07102 for 23-012 To Provide the Construction of the New D. Bilal Beasley Community Center Building at Irvington Park,

which said contract is made a part of this bond as though set forth herein:

NOW, if the said Principal shall well and faithfully do and perform the things agreed to be done and performed according to the terms of the said contract, and shall pay all lawful claims of beneficiaries as defined in N.J.S.A. 2A:44-143 for labor performed or materials, provisions, provender or other supplies or teams, fuels, oils, implements or machinery furnished, used or consumed in the carrying forward, performing or completing of said contract, we agreeing and assenting that this undertaking shall be for the benefit of any beneficiary as defined in N.J.S.A. 2A:44-143 having a just claim, as well as for the obligee herein, then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the said contract, or in or to the plans or specifications therefore shall in anywise affect the obligation of said surety on its bond.

This bond is given compliance with the requirements of the statutes of the State of New Jersey in respect to bonds contractors on public works, revised Statutes of New Jersey, 1937, sections 2A:44-143 to 2A:44-147, and amendments thereof. Recovery of any claimant under this bond shall be subject to the conditions and provisions of N.J.S.A. 2A:44-143 to 2A:44-147.

Witness

N/A  
(If Individual or Partnership)

APS Contracting, Inc.  
Principal

Attest  
M. Skarleska  
(If Corporation) Manhela Skarleska

By: [Signature]  
Svetozar Savreski

[Signature]  
Denise Medlar Witness for Surety

The Cincinnati Insurance Company  
Surety

By: [Signature]  
Joseph T. Catania Attorney-in-Fact

c:\Performance Payment Bond



ACKNOWLEDGMENT OF PRINCIPAL  
(Individual or Partnership)

STATE OF N/A

ss:

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally appeared the above named \_\_\_\_\_ to me known and known to me to be the same described in and who executed the above instrument and duly acknowledged the execution of the same.

Notary Public of the State of \_\_\_\_\_  
County of \_\_\_\_\_

(Corporation)

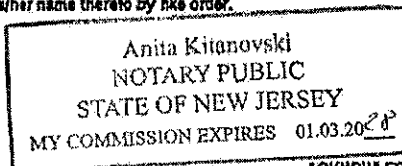
STATE OF NJ

ss:

22-3706453

COUNTY OF Passaic

On this 9 day of February, 2023, before me personally appeared Svetlana Savitski to me known, who, being by me duly sworn, did depose and say that he/she resides at 24 Ware Rd. Upper Saddle River, NJ 07458 that he/she is the President of APS Contracting, Inc. the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order.



[Signature]  
Notary Public of the State of NJ  
County of Passaic

ACKNOWLEDGMENT OF SURETY

STATE OF New Jersey

ss:

COUNTY OF Bergen

On this 10th day of February, 2023, before me personally appeared Joseph T. Catania to me known, who, being by me duly sworn did depose and say that he/she resides at West Chester, PA that he/she is the Attorney-in-Fact of the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order; and deponent further says that he/she is acquainted with The Cincinnati Insurance Company and knows him/her to be the Attorney-in-Fact subscribed to the within instrument is in the genuine and handwriting of the said Joseph T. Catania and was subscribed thereto by like order of the Board of Directors in the presence of deponent.

[Signature]  
Notary Public of the State of \_\_\_\_\_  
County of \_\_\_\_\_

MARY LAWRENCE  
NOTARY PUBLIC - STATE OF NEW JERSEY  
Comm. # 50037749  
My Commission Expires 05/06/2026

c:/Performance Payment Bond

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

Richard G. Anderson, Joseph T. Catania, Gina M. Semonprie, Mary Lawrence, Denise A. Medlar,  
Brent D. Headley, Christopher R. Smith and/or Gemma B. Fendler

of Wilmington, Delaware

their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows:

Any such obligations in the United States, up to  
Fifty Million and No/100 (\$50,000,000.00)

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.



STATE OF OHIO )  
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

*Stephen A. Ventre*

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



*Kelth Collett*

Kelth Collett, Attorney at Law  
Notary Public - State of Ohio

My commission has no expiration date.  
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 10th day of February, 2023



*Ed H.*



The Cincinnati Insurance Company • The Cincinnati Indemnity Company  
The Cincinnati Casualty Company • The Cincinnati Specialty Underwriters Insurance Company  
The Cincinnati Life Insurance Company

## SURETY DISCLOSURE STATEMENT AND CERTIFICATION

Pursuant to N.J.S.A. 2A:44-143

CINCINNATI INSURANCE COMPANY (hereafter called "Surety"), the Surety on the attached bond, hereby certifies the following:

- (1) The Surety meets the applicable surplus requirements of R.S.17:17-6 or R.S.17:17-7 as of the Surety's most current annual filing with the New Jersey Department of Insurance.
- (2) The surplus of Cincinnati Insurance Company as determined in accordance with the applicable laws of this State totals \$7,246,752,970 as of December 31, 2021 which amount has been certified by Deloitte and Touche, LLP and is on file with the National Association of Insurance Commissioners.
- (3) Cincinnati Insurance Company has received from the United States Secretary of the Treasury, a Certificate of Authority pursuant to 31 U.S.C. 9305, with an underwriting limitation established therein on July 1, 2022 in the amount of \$712,110,000.
- (4) The amount of the bond to which this statement and certification is attached is \$10,537,000.00.
- (5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3) above, then for each contract of reinsurance:
  - (a) The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:  
*Not Applicable*
  - and;
  - (b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243 (C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

### CERTIFICATION

I, Joseph T. Catania, as Attorney-in-Fact of Cincinnati Insurance Company, an insurance company domiciled in the State of Ohio, do hereby certify that, to the best of my knowledge, the foregoing statements made by me on behalf of Cincinnati Insurance Company are true, and acknowledge that if any of those statements made by me on behalf of Cincinnati Company are false, this bond is voidable.

CINCINNATI INSURANCE COMPANY

By: 

Signature

Joseph T. Catania

Printed Name and Title

Mailing Address: P.O. Box 145496 • Cincinnati, Ohio 45250-5496 • Headquarters: 6200 S. Gilmore Road • Fairfield, Ohio 45014-5141  
[www.cinfin.com](http://www.cinfin.com) • 513-870-2000

NO 4105 NJ 07 22

**SURETY DISCLOSURE STATEMENT AND CERTIFICATION**

The Cincinnati Insurance Company

\_\_\_\_\_ surety(ies) on the attached bond, hereby certifies the following:

1. The surety meets the applicable capital and surplus requirements of N.J.S.A. 17:17-6 or N.J.S.A. 17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance.
2. The capital (where applicable) and surplus, as determined in accordance with the applicable laws of the State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amount(s) as of the calendar year ended December 31, 20 21 (most recent calendar year for which capital and surplus amounts are available), which amounts have been certified as indicated by certified public accountants (indicating separately for each surety's capital and surplus amounts, together with the name and address of the firm of certified public accountants that shall have certified those amounts): See Attached
3. (a) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein and the date as of which that limitation was effective is as follows (indicating for each such surety that surety's underwriting limitation and the effective date thereof):  
See Attached
- (b) With respect to each surety participating in the issuance of the attached bond that has not received such a certificate of authority from the United States Secretary of the Treasury, the underwriting limitation of that surety as established pursuant to N.J.S.A. 17:18-9 as of (date on which such limitation was so established) is as follows (indicating for each such surety that surety's underwriting limitation and the date on which that limitation was established):  
See Attached
4. The amount of the bond to which this statement and certification is attached is  
\$ 10,537,000.00

**FILL IN THE BLANKS**

5. If, by virtue of one and more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3) (a) or (3) (b) above, or both, then for each such contract of reinsurance:

- a. The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:

See Attached

- (b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5) (a) satisfies the credit for reinsurance established under P.L. 1993, c. 243 (N.J.S.A. 17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

CERTIFICATION

(to be completed by an authorized agent for each surety on the bond)

I, Joseph T. Catania (name of agent), Attorney-in-Fact as (title of agent) for The Cincinnati Insurance Company (name of surety), a corporation/mutual insurance company/other (indicate type of business organization) (circle one) domiciled in Ohio (state of domicile), DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements are false, this bond is VOID.

signature of certifying agent

Joseph T. Catania  
printed name of certifying agent

Attorney-in-Fact  
title of certifying agent

**NOTE: Bid Bonds that contain the following language: "shall pay the Obligor the difference..." are unacceptable, the law is 10% of the bid amount not to exceed \$20,000.00.**

**FILL IN THE BLANKS**



The Cincinnati Insurance Company ▪ The Cincinnati Indemnity Company  
The Cincinnati Casualty Company ▪ The Cincinnati Specialty Underwriters Insurance Company  
The Cincinnati Life Insurance Company

THE CINCINNATI INSURANCE COMPANY  
FINANCIAL STATEMENT  
DECEMBER 31, 2021

ASSETS

Cash	\$ 736,082,418
Bonds	6,844,952,546
Stocks	7,451,244,309
Agents Balance Receivable	1,938,634,121
All Other Admitted Assets	723,599,817
<b>TOTAL ADMITTED ASSETS</b>	<b><u>\$17,694,513,211</u></b>

LIABILITIES

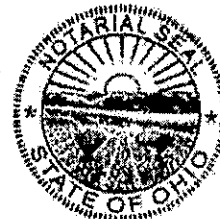
Reserve for Losses and Loss Expense	\$ 6,143,649,648
Reserve for Unearned Premiums	2,930,683,862
All Other Liabilities	1,373,526,731
Capital	\$ 3,586,355
Surplus	7,243,166,615
	<u>7,246,752,970</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>\$17,694,513,211</u></b>

State of Ohio  
County of Butler

Theresa A. Hoffer, Treasurer of The Cincinnati Insurance Company, being duly sworn for herself, deposes and says that she is the above described officer of the said company and that the above Financial Statement as of December 31, 2021 is true and correct to the best of her knowledge and belief.

Theresa A. Hoffer  
Senior Vice President, Treasurer

Subscribed and sworn before me this 18<sup>th</sup> day of February 2022.



JOHN K. COPELLA  
Notary Public, State of Ohio  
My Commission Expires 03-18-2023

NEW JERSEY STATUTORY PERFORMANCE AND PAYMENT BOND

Bond No. 3276734

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, APS Contracting, Inc. as Principal, and the The Cincinnati Insurance Company incorporated under the laws of the State of OHIO, having an office at Fairfield, OH 45014 and duly authorized to transact business in the State of New Jersey, as Surety, are held and firmly bound unto the COUNTY OF ESSEX, 465 Dr. Martin Luther King Blvd., Newark, New Jersey 07102 in the penal sum of Ten Million Five Hundred Thirty-Seven Thousand and 00/100 DOLLARS for the payment of which sum well and truly to be made, we hereby jointly and severally, bind ourselves, our heirs, executors, administrators, successors and assigns.

SIGNED and sealed this 10th day of February, 2023, A.D.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, WHEREAS, the above named Principal did on the \_\_\_\_\_ day of \_\_\_\_\_, enter into a written contract with the COUNTY OF ESSEX, Hall of Records, 465 Dr. Martin Luther King Blvd., Newark, NJ 07102 for 23-012 To Provide the Construction of the New D. Bilal Beasley Community Center Building at Irvington Park

which said contract is made a part of this bond as though set forth herein:

NOW, if the said Principal shall well and faithfully do and perform the things agreed to be done and performed according to the terms of the said contract, and shall pay all lawful claims of beneficiaries as defined in N.J.S.A. 2A:44-143 for labor performed or materials, provisions, provender or other supplies or teams, fuels, oils, implements or machinery furnished, used or consumed in the carrying forward, performing or completing of said contract, we agreeing and assenting that this undertaking shall be for the benefit of any beneficiary as defined in N.J.S.A. 2A:44-143 having a just claim, as well as for the obliges herein, then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the said contract, or in or to the plans or specifications therefore shall in anywise affect the obligation of said surety on its bond.

This bond is given compliance with the requirements of the statutes of the State of New Jersey in respect to bonds contractors on public works, revised Statutes of New Jersey, 1937, sections 2A:44-143 to 2A:44-147, and amendments thereto. Recovery of any claimant under this bond shall be subject to the conditions and provisions of N.J.S.A. 2A:44-143 to 2A:44-147.

Witness

N/A  
(If Individual or Partnership)

APS Contracting, Inc.  
Principal

Attest  
M. Skurteska  
(If Corporation) Mamela Skurteska

By: [Signature]  
Svetozar Savrenski President

[Signature]  
Denise Medlar Witness for Surety

The Cincinnati Insurance Company  
Surety

By: [Signature]  
Joseph T. Cotania Attorney-in-Fact

c:\Performance Payment Bond



ACKNOWLEDGMENT OF PRINCIPAL  
(Individual or Partnership)

STATE OF N/A

ss:

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, before me personally appeared the above named \_\_\_\_\_ to me known and known to me to be the same described in and who executed the above instrument and duly acknowledged the execution of the same.

Notary Public of the State of \_\_\_\_\_  
County of \_\_\_\_\_

(Corporation)

STATE OF NJ

ss:

COUNTY OF Passaic

On this 9 day of February, 2023, before me personally appeared Svetlana Smerov to me known, who, being by me duly sworn, did depose and say that he/she resides at 24 WAVE RD. UDDERTSADDLE RIVER, NJ 07078 that he/she is the PRESIDENT of APS Contracting, Inc. the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said corporation; and that he/she signed his/her name thereto by his order.

Anita Kitanovski  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES 01.03.2028

Notary Public of the State of NJ  
County of Passaic

ACKNOWLEDGMENT OF SURETY

STATE OF New Jersey

ss:

COUNTY OF Bergen

On this 10th day of February, 2023, before me personally appeared Joseph T. Catania to me known, who, being by me duly sworn did depose and say that he/she resides at West Chester, PA that he/she is the Attorney-in-Fact of the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order; and deponent further says that he/she is acquainted with The Cincinnati Insurance Company and knows he/she to be the Attorney-in-Fact subscribed to the within instrument is in the genuine and handwriting of the said Joseph T. Catania and was subscribed thereto by like order of the Board of Directors in the presence of deponent.

Notary Public of the State of \_\_\_\_\_  
County of \_\_\_\_\_

MARY LAWRENCE  
NOTARY PUBLIC - STATE OF NEW JERSEY  
Comm. # 50037749  
My Commission Expires 05/05/2026

c/Performance Payment Bond

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

Richard G. Anderson; Joseph T. Catania; Gina M. Semonelle; Mary Lawrence; Denise A. Medlar,  
Brent D. Headley; Christopher R. Smith and/or Gemma B. Fendler

of Wilmington, Delaware

their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows:

Any such obligations in the United States, up to  
Fifty Million and No/100 (\$50,000,000.00)

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.



STATE OF OHIO )  
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY  
THE CINCINNATI CASUALTY COMPANY

*Stephen A. Justice*

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



*Keith Collett*

Keith Collett, Attorney at Law  
Notary Public - State of Ohio

My commission has no expiration date.  
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney Issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 10th day of February, 2023



*Ed H.*

BN-1457 (3/21)



The Cincinnati Insurance Company • The Cincinnati Indemnity Company  
The Cincinnati Casualty Company • The Cincinnati Specialty Underwriters Insurance Company  
The Cincinnati Life Insurance Company

## SURETY DISCLOSURE STATEMENT AND CERTIFICATION

Pursuant to N.J.S.A. 2A:44-143

CINCINNATI INSURANCE COMPANY (hereafter called "Surety"), the Surety on the attached bond, hereby certifies the following:

- (1) The Surety meets the applicable surplus requirements of R.S.17:17-6 or R.S.17:17-7 as of the Surety's most current annual filing with the New Jersey Department of Insurance.
- (2) The surplus of Cincinnati Insurance Company as determined in accordance with the applicable laws of this State totals \$7,246,752,970 as of December 31, 2021 which amount has been certified by Deloitte and Touche, LLP and is on file with the National Association of Insurance Commissioners.
- (3) Cincinnati Insurance Company has received from the United States Secretary of the Treasury, a Certificate of Authority pursuant to 31 U.S.C. 9305, with an underwriting limitation established therein on July 1, 2022 in the amount of \$712,110,000.
- (4) The amount of the bond to which this statement and certification is attached is \$10,537,000.00.
- (5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3) above, then for each contract of reinsurance:
  - (a) The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:  
*Not Applicable*
  - and;
  - (b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243 (C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

### CERTIFICATION

I, Joseph T. Catania, as Attorney-in-Fact of Cincinnati Insurance Company, an insurance company domiciled in the State of Ohio, do hereby certify that, to the best of my knowledge, the foregoing statements made by me on behalf of Cincinnati Insurance Company are true, and acknowledge that if any of those statements made by me on behalf of Cincinnati Company are false, this bond is voidable.

CINCINNATI INSURANCE COMPANY

By: 

Signature

Joseph T. Catania

Printed Name and Title

Mailing Address: P.O. Box 145496 • Cincinnati, Ohio 45250-5496 • Headquarters: 6200 S. Gilmore Road • Fairfield, Ohio 45014-5141  
[www.cinfin.com](http://www.cinfin.com) • 513-870-2000

NO 4105 NJ 07 22

**SURETY DISCLOSURE STATEMENT AND CERTIFICATION**

The Cincinnati Insurance Company

\_\_\_\_\_ surety(ies) on the attached bond, hereby certifies the following:

1. The surety meets the applicable capital and surplus requirements of N.J.S.A. 17:17-6 or N.J.S.A. 17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance.
2. The capital (where applicable) and surplus, as determined in accordance with the applicable laws of the State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amount(s) as of the calendar year ended December 31, 20 21 (most recent calendar year for which capital and surplus amounts are available), which amounts have been certified as indicated by certified public accountants (indicating separately for each surety's capital and surplus amounts, together with the name and address of the firm of certified public accountants that shall have certified those amounts): See Attached
3. (a) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein and the date as of which that limitation was effective is as follows (indicating for each such surety that surety's underwriting limitation and the effective date thereof):  
See Attached
- (b) With respect to each surety participating in the issuance of the attached bond that has not received such a certificate of authority from the United States Secretary of the Treasury, the underwriting limitation of that surety as established pursuant to N.J.S.A. 17:18-9 as of (date on which such limitation was so established) is as follows (indicating for each such surety that surety's underwriting limitation and the date on which that limitation was established):  
See Attached
4. The amount of the bond to which this statement and certification is attached is  
\$ 10,537,000.00

**FILL IN THE BLANKS**

5. If, by virtue of one and more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in items (3) (a) or (3) (b) above, or both, then for each such contract of reinsurance:

a. The name and address of each such reinsurer under that contract and the amount of that reinsurer's participation in the contract is as follows:

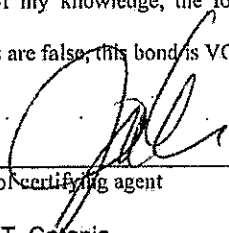
See Attached

(b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5) (a) satisfies the credit for reinsurance established under P.L. 1993, c. 243 (N.J.S.A. 17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

#### CERTIFICATION

(to be completed by an authorized agent for each surety on the bond)

I, Joseph T. Catania (name of agent), Attorney-in-Fact as (title of agent) for The Cincinnati Insurance Company (name of surety), a corporation/mutual insurance company/other (indicate type of business organization) (circle one) domiciled in Ohio (state of domicile), DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements are false, this bond is VOID.

  
signature of certifying agent

Joseph T. Catania  
printed name of certifying agent

Attorney-in-Fact  
title of certifying agent

**NOTE: Bid Bonds that contain the following language: "shall pay the Obligor the difference..." are unacceptable, the law is 10% of the bid amount not to exceed \$20,000.00.**

**FILL IN THE BLANKS**



The Cincinnati Insurance Company • The Cincinnati Indemnity Company  
The Cincinnati Casualty Company • The Cincinnati Specialty Underwriters Insurance Company  
The Cincinnati Life Insurance Company

THE CINCINNATI INSURANCE COMPANY  
FINANCIAL STATEMENT  
DECEMBER 31, 2021

ASSETS

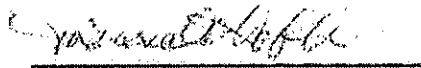
Cash	\$ 736,082,418
Bonds	6,844,952,546
Stocks	7,451,244,309
Agents Balance Receivable	1,938,634,121
All Other Admitted Assets	723,599,817
<b>TOTAL ADMITTED ASSETS</b>	<b><u>\$17,694,513,211</u></b>

LIABILITIES

Reserve for Losses and Loss Expense	\$ 6,143,649,648
Reserve for Unearned Premiums	2,930,583,862
All Other Liabilities	1,373,526,731
Capital	\$ 3,586,355
Surplus	7,243,166,615
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>7,246,752,970</u></b> <b><u>\$17,694,513,211</u></b>

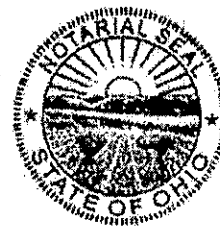
State of Ohio  
County of Butler

Theresa A. Hoffer, Treasurer of The Cincinnati Insurance Company, being duly sworn for herself, deposes and says that she is the above described officer of the said company and that the above Financial Statement as of December 31, 2021 is true and correct to the best of her knowledge and belief.

  
Theresa A. Hoffer  
Senior Vice President, Treasurer

Subscribed and sworn before me this 18<sup>th</sup> day of February 2022.





JOHN K. COPELLA  
Notary Public, State of Ohio  
My Commission Expires 03-18-2023