

Torres Rojas, Genara

From: jonathanaldrich@gordon-inc.com
Sent: Monday, September 08, 2014 5:09 PM
To: Duffy, Daniel; American, Heavyn-Leigh
Cc: Torres Rojas, Genara; Van Duyne, Sheree
Subject: Freedom of Information Online Request Form

Information:

First Name: Jonathan
Last Name: Aldrich
Company: Gordon Sales Inc
Mailing Address 1: 5023 Hazel Jones Road
Mailing Address 2:
City: Bossier City
State: LA
Zip Code: 71111
Email Address: jonathanaldrich@gordon-inc.com
Phone: 3187478954
Required copies of the records: No

List of specific record(s):

Payment bond for the 911 Memorial Museum Project issued Bovis Lend Lease andor PABCO Construction Corporation.

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

September 12, 2014

Mr. Jonathan Aldrich
Gordon Sales Inc.
5023 Hazel Jones Road
Bossier City, LA 71111

Re: Freedom of Information Reference No. 15293

Dear Mr. Aldrich:

This is in response to your September 8, 2014 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy attached) for copies payment bond for the 911 Memorial Museum Project issued Bovis Lend Lease and/or PABCO Construction Corporation.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/15293-WTC.pdf>. Paper copies of the available records are available upon request.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy
FOI Administrator

Enclosure

Labor and Material Payment Bond
Co-Obligee

Bond No. PRF09027466 Premium Amount \$ NIL - Included in cost of
KNOW ALL MEN BY THESE PRESENTS, Performance Bond

That we, Pabco Construction Corp., 157 Gazza Boulevard, Farmingdale, New York 11735
(Full Name and Address of Trade Contractor)

(hereinafter called the Principal), as Principal, and Fidelity and Deposit Company of Maryland
(Full Name and Address of Surety)
1400 American Lane, Schaumburg, Illinois 60196

a corporation duly organized under the laws of the state of Maryland
(hereinafter called the Surety), as Surety, are held and firmly bound unto:

Owner's Name:	National September 11 Memorial & Museum Foundation, Inc.	and	Bovis' Name:	Bovis Lend Lease LMB, Inc.
Owner's Address:	One Liberty Plaza 20 th Floor New York, NY 10006		Bovis' Address:	200 Park Avenue 9 th Floor New York, NY 10166

(hereinafter called the Obligees)

in the sum of Six Million Two Hundred Thousand and 00/100 U.S. Dollars
(\$ 6,200,000.00), for the payment of which we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal entered into a certain Contract dated August 27, 2010
(Month, Day) (Year)

with Bovis Lend Lease LMB, Inc. as Agent for the Owner/Obligee for:

115619.00 Furnish, Deliver and Install the Millwork/Manufactured Casework Work
National September 11 Memorial & Museum of the National September 11 Memorial & Museum Project
WTC Site Contract No. M-059

which is hereby referred to and made a part hereof as if fully set forth herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall promptly make payment to all claimants as hereafter defined, for all (1) labor and material used or reasonably required for use in the performance of the Contract, (2) pension, welfare, vacation and any other supplemental employee benefit contributions payable under collective bargaining agreements with respect to persons employed upon said work, and (3) federal, state and local taxes and contributions required to be withheld or paid with respect to the employment of persons upon said work that may hereafter be made, then this obligation shall be void; otherwise, it shall remain in full force and effect, subject, however, to the following conditions:

1. A claimant is defined as one having a direct contract with the Principal or a Subcontractor of the Principal, for labor, material, or both, used or reasonably required for use in the performance of the Contract, labor and material being construed to include that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental of equipment directly applicable to the Contract.
2. The above-named Principal and Surety hereby jointly and severally agree with the Obligees that every claimant as herein defined, who has not been paid in full, may sue on this bond for the use of such claimant, prosecute the suit to final judgment for such sum or sums as may be justly due claimant, and have execution thereon. The Obligees or either of them shall not be liable for the payment of any cost or expenses of any suit.
3. No suit or action shall be commenced hereunder by any claimant:
 - a. After the expiration of the minimum period of limitation permitted by any law controlling the construction hereof.
 - b. Other than in a state court of competent jurisdiction in and for the county or other political subdivision of the state in which the Project, or any part thereof, is situated, and not elsewhere.

The Surety agrees that no change, extension of time, alteration, addition, omission or other modification of the Contract Documents shall in any way affect its obligations under this Bond, and the Surety hereby waives notice of any such changes, extensions of time, alterations, additions, omissions or other modifications.

For projects located in the State of Connecticut, Surety is liable for and is obliged to pay any interest, costs, penalties or attorneys' fees imposed upon the Principal under any provisions of Connecticut Public Act 99-153, entitled "An Act Concerning Fairness in Financing in the Construction Industry."

Principal and Surety shall not be liable to the Obligees unless the Obligees or any of them have performed their respective obligations to the Principal in accordance with the terms of said Contract.

Sealed with our seals and dated this 14th day of October, 2010
(Day) (Month) (Year)

Rosann V. Cannon
(Attested by)

Pabco Construction Corp.
(Principal)
By: [Signature]
(Title)

SEAL

Andrea E. Gorbert
Andrea E. Gorbert (Attested by)

Fidelity and Deposit Company of Maryland
(Surety)
[Signature]
Theresa J. Foley (Attorney-in-Fact)

SEAL

*Attach Power-Of-Arroney

CORPORATE ACKNOWLEDGEMENT

STATE OF New York

COUNTY OF NASSAU

On this 20 day of Dec October, 20 10 before me personally came Philip Boradonna to me known, who being by me duly sworn, did depose and say that he/she is the President of Pabco Construction Corp. the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that he/she signed the said instrument and affixed the said seal as Pabco Construction Corp by authority of the Board of Directors of said corporation and by authority of this office under the standing Resolution thereof.

My Commission Expires: 5/12/12

Dawn Resto
Notary Public State of New York
Reg No. 01RE6187136
Qualified in Nassau County
Commission Expires 5/12/2012

Dawn Resto
Notary Public

SURETY ACKNOWLEDGEMENT

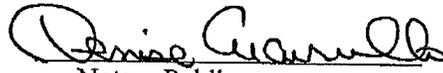
STATE OF New York

COUNTY OF Nassau

On this 14th day of October, 20 10 before me personally came Theresa J. Foley to me known, who being by me duly sworn, did depose and say that he/she is an attorney-in-fact of Fidelity and Deposit Company of Maryland the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that he/she signed the said instrument and affixed the said seal as Attorney-in-fact by authority of the Board of Directors of said corporation and by authority of this office under the standing Resolution thereof.

My Commission Expires:

DENISE CUCURULLO
Notary Public, State Of New York
No. 01CU4783740
Qualified In Nassau County
Commission Expires September 30, 20 13


Notary Public

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by WILLIAM J. MILLS, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof does hereby nominate, constitute and appoint **James E. MARRAN, JR., David W. ROSEHILL, Vincent A. WALSH, Nancy SCHNEE, Theresa J. FOLEY, Fern PERRY, Fred NICHOLSON, David A. GOLDSTEIN, Michael MARINO, and Daryl LAFORGE, all of Jericho, New York, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed, ~~any and all bonds and undertakings~~, and the execution of such bonds or undertakings in pursuance of these presents shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of James E. MARRAN, JR., David W. ROSEHILL, Vincent A. WALSH, Nancy SCHNEE, Theresa J. FOLEY, Fern PERRY, Fred NICHOLSON, David A. GOLDSTEIN, Michael MARINO, William MARINO, dated November 4, 2008.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 5th day of November, A.D. 2008.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

William J. Mills

Gregory E. Murray Assistant Secretary

By:

William J. Mills

Vice President

State of Maryland }
City of Baltimore } ss:

On this 5th day of November, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came WILLIAM J. MILLS, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski

Notary Public

My Commission Expires: July 8, 2011

FIDELITY AND DEPOSIT COMPANY

OF MARYLAND

3910 KESWICK ROAD, BALTIMORE, MD 21211-2226

Statement of Financial Condition
As Of December 31, 2009

ASSETS

Bonds	\$ 156,584,995
Stocks	22,537,672
Cash and Short Term Investments	9,719,598
Reinsurance Recoverable	9,347,241
Other Accounts Receivable	51,052,264
TOTAL ADMITTED ASSETS	\$ 249,241,769

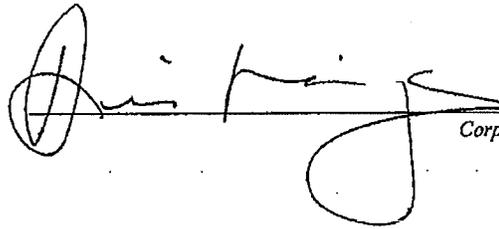
LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses	\$ 76,835
Ceded Reinsurance Premiums Payable	58,237,612
Securities Lending Collateral Liability	5,511,875
TOTAL LIABILITIES	\$ 63,826,322
Capital Stock, Paid Up	\$ 5,000,000
Surplus	180,415,448
Surplus as regards Policyholders	185,415,447
TOTAL	\$ 249,241,769

Securities carried at \$38,385,957 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2009 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$247,657,513 and surplus as regards policyholders \$186,999,703.

I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2009.



 Corporate Secretary

State of Illinois }
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2010.



 Notary Public

