



Pay Estimate Form

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|-----------------------------|--|
| Project Name: | Sugar Land-Howell at WKBID Trail (13218x) |
| Project Number: | 13218x |
| PO Number: | 206884 |
| Contractor: | DVL Enterprises, LLC |
| Pay Estimate Number: | CN-2/PA 3/13218x [Final Pay Estimate] |
| Date of Estimate: | CreatedOn 10/12/2022 LastModifiedOn 11/18/2022 |
| Estimate Dates: | From 04/30/2022 To 05/26/2022 |
| Contract Dates: | 02/14/2022 To 03/30/2022 |

| | Total |
|------------------------------------|---------|
| Original Contract Time | 45 Days |
| Extensions by Change Orders | 0 Days |
| Total Contract Time | 45 Days |
| Spent Days | 38 Days |
| Days Remaining | 7 Days |

| | Up to Previous | Current | Total |
|---|----------------|--------------|--------------|
| 1. Original Contract Amount | | | \$ 78,590.00 |
| 2. Net Change by Change Orders | | | \$ 9,650.00 |
| 3. Total Contract Amount | | | \$ 88,240.00 |
| 4. Total Earnings | \$ 78,590.00 | \$ 9,650.00 | \$ 88,240.00 |
| 5. Total Work Completed (%) | 89.06% | 10.94% | 100.00% |
| 6. Material on Hand (Payment) | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 7. Material on Hand (Recovery) | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 8. Total Earnings before Retainage (4+6-7) | \$ 78,590.00 | \$ 9,650.00 | \$ 88,240.00 |
| 9. Retainage at 0.00% of (8) | \$ 7,539.50 | \$ 0.00 | \$ 7,539.50 |
| 10. Retainage Release | \$ 3,610.00 | \$ 3,929.50 | \$ 7,539.50 |
| 11. Net After Retainage (8-9+10) | \$ 74,660.50 | \$ 13,579.50 | \$ 88,240.00 |
| 12. Adjustments & Liquidated Damages | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 13. Payment Due (11+12) | | \$ 13,579.50 | |

LAWSON

AGENDA

AFFIDAVIT OF BILLS PAID

STATE OF TEXAS §
COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this day personally appeared Daniel Lee, owner of DVL Enterprises, LLC, and, upon oath, after first being duly sworn, deposed and stated:

"My name is Daniel Lee and I am the Owner of DVL Enterprises, LLC, hereinafter referred to in this affidavit as "Contractor." The facts set forth herein are within my personal knowledge and are true and correct, and I am competent and authorized to make this affidavit on behalf of Contractor.

Contractor has supplied labor, materials, equipment and/or services under a contract with **Fort Bend County** ("Owner"), for work to be performed on that certain project known as Sugar Land – Howell at WKBOD Trail Connector (the "Project").

Contractor has paid each and all of its subcontractors, laborers, suppliers, vendors and materialmen in full for all labor, materials, equipment and/or services provided to it for incorporation in or use or work on the Project, which are included in its application for payment to Owner for the period ending 05/26/2022 (the "Pay Period"). Contractor acknowledges that Owner is relying on Contractor's statements and representations herein in making payment to Contractor.

Contractor hereby waives and releases any and all rights, claims and causes of action which Contractor may have against Owner and/or the owner of the Project, including any and all costs, expenses and damages incurred by Contractor, arising out of or related to all labor, materials, equipment and/or services furnished for incorporation in or use or work on the Project through the Pay Period.

The undersigned affiant agrees to indemnify Owner of and from any and all loss, cost or expense resulting from any false or incorrect information contained in this affidavit."

Contractor:

DVL Enterprises, LLC

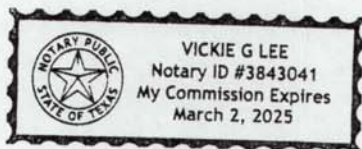
By: _____

[Signature of Affiant]

Printed Name: Daniel Lee

Title: Owner

SUBSCRIBED AND SWORN TO before me on this 15th day of November 2022, by
Daniel Lee, owner [title] of DVL Enterprises, LLC [Contractor], known to me or proved through photo identification.



Vickie G Lee
Notary Public in and for the State of Texas
My commission expires: **03/02/2025**

**CONSENT OF SURETY
TO FINAL PAYMENT**

AIA Document G707

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
SURETY ☐
OTHER ☐

Bond No. _____

TO OWNER:
(Name and address)

Fort Bend County
301 Jackson Street
Richmond, TX 77469

ARCHITECT'S PROJECT NO.: _____

CONTRACT FOR: General Construction

PROJECT:
(Name and address)

Fort Bend County Bid 22-016, Construction of Sugar Land - Howell at WKBID Trail Connection for Fort Bend County Mobility Bond Project No. 13218X

CONTRACT DATED: _____

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Atlantic Specialty Insurance Company
9977 W. Sam Houston Parkway North, Ste. 130
Houston, TX 77064

, SURETY,

on bond of
(Insert name and address of Contractor)

DVL Enterprises, LLC
1525 Lakeville Drive, Suite 231
Kingwood, TX 77339

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

Fort Bend County
301 Jackson Street
Richmond, TX 77469

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: October 19, 2022
(Insert in writing the month followed by the numeric date and year.)

Atlantic Specialty Insurance Company

(Surety)

By: _____

(Signature of authorized representative)

Michele M Bonnin

Attorney-in-Fact

(Printed name and title)

Attest: _____
(Seal): *gmontagne*





Power of Attorney

Surety Bond No:

Principal: DVL Enterprises, LLC

Obligee: Fort Bend County

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: Michele M Bonnin, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: sixty million dollars (\$60,000,000) and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this fifth day of March, 2020.

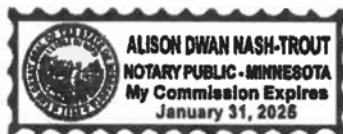
STATE OF MINNESOTA
HENNEPIN COUNTY



By

Paul J. Brehm, Senior Vice President

On this fifth day of March, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Notary Public

I, the undersigned, Assistant Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 19th day of October, 2022.



Christopher V. Jerry, Secretary