



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

March 19, 2026

Sent by Email and Certified Mail, Return Receipt Requested

Thomas Pastore, Sr., Project Manager
M&M Asphalt Maintenance, Inc.
DBA All County Paving
1180 SW 10th St
Delray Beach, FL 33444
Via Email: tpastore@allcountypaving.com

Reese Chafin, Agency Liaison
The Gray Casualty & Surety Company
P.O. Box 6202
Metairie, LA 70009-6202
Via Email: rchafin@graysurety.com

RE: Wickham Road at Pineda Causeway Intersection Improvements
Bid No. B-6-25-11
Notice of Termination for Cause

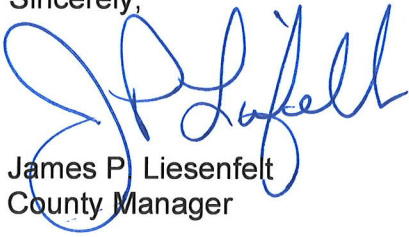
To Whom it May Concern:

This Notice of Termination is sent in accordance with the Contract, which is incorporated herein by this reference, including, but not limited to, Section 2, Article 35. M&M Asphalt Maintenance, Inc., d/b/a All County Paving, (the "Contractor") has failed to complete remaining work items/tasks as required under the Contract and as outlined in the Notice of Failure to Perform dated February 13, 2026 (the "Notice of Failure to Perform"), which is incorporated herein by this reference. As a result, the Contract is hereby Terminated for Cause. Termination shall be effective on April 14, 2026, at 11:59 p.m. local time (the "Termination Date"). The Contractor is hereby directed and shall, in good faith, continue to work on completing the tasks required under the Contract, including, but not limited to, those items identified in the Notice of Failure to Perform, by the Termination Date. The parties shall comply with the provisions outlined in Section 2, Article 35.2 of the Contract and coordinate efforts to meet said requirements. During this process, Contractor shall continue to provide sufficient maintenance of traffic to ensure the public health, safety, and welfare.

Unless otherwise agreed to by the County, the Contractor shall submit its termination claim no later than Thursday, May 15, 2026, which is one month from the effective date of termination, in accordance with Section 2, Article 35.3. Should the Contractor fail to submit such claim, the County shall determine the amount, if any, due to the Contractor by reason of the termination.

The County reserves any remaining rights available to it under the Contract, in law, and in equity.

Sincerely,



James P. Liesenfelt
County Manager

cc: Marc Bernath, Public Works Director
Rachel Gerena, P.E., Engineering Program Manager
Anna Hoang-Lok, P.E., Engineer III
Fahad Islam, Engineer I
Tammy Thomas-Wood, Operations Manager
Robert Hendricks, Contracts Coordinator
Jeanette Scott, Contracts Supervisor



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Public Works Department

2725 Judge Fran Jamieson Way
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Viera, Florida 32940

February 13, 2026

Sent by Email and Certified Mail, Return Receipt Requested

Thomas Pastore, Sr., Project Manager
M&M Asphalt Maintenance, Inc.
DBA All County Paving
1180 SW 10th St
Delray Beach, FL 33444
Via Email: tpastore@allcountypaving.com

Reese Chafin, Agency Liaison
The Gray Casualty & Surety Company
P.O. Box 6202
Metairie, LA 70009-6202
Via Email: rchafin@graysurety.com

RE: Wickham Road at Pineda Causeway Intersection Improvements
Bid No. B-6-25-11
Notice of Failure to Perform Work

To Whom it May Concern:

This Notice of Failure to Perform Work is sent in accordance with the Contract, which is incorporated herein by this reference, including, but not limited to, Section 2, Article 33. M&M Asphalt Maintenance, Inc., d/b/a All County Paving, (the "Contractor") has failed to perform work continuously with sufficient workers, equipment, and materials to complete the necessary work within the allotted contract time and is hereby found by the County to have not carried out the work in an acceptable manner.

The Contractor and Surety are hereby put on notice that if the outstanding work, as identified in **Exhibit A** attached hereto and incorporated herein by this reference, is not completed in accordance with the terms and conditions of the Contract by March 13, 2026, the County shall, at its option, take the prosecution of the work out of the hands of the Contractor, to appropriate or use any or all materials and equipment on the grounds as may be suitable and acceptable, to enter into an agreement with another contractor for the completion of the work, or to use such other methods as, in the opinion of the County, shall be required for the completion of the work in an acceptable manner.
Section 2, Article 33.2, Contract.

All costs and charges incurred by the County, together with the costs of completing the work, shall be deducted from any monies due or which may become due. If such expenses shall exceed the sum which would have been payable under the Contract, the Contractor and Surety shall be liable and shall pay to the County the amount of such excess. Alternatively, if the work shall be less than the sum which would have been paid to the Contractor, such difference shall be issued to the Contractor.

The County reserves any remaining rights available to it in law and in equity to enforce the Contract.

Sincerely,

Anna Hoang-Lok
Engineer III

cc: Marc Bernath, Public Works Director
Lauren Holman, P.E., Interim Engineering Program Manager
Fahad Islam, Engineer I
Tammy Thomas-Wood, Operations Manager
Jeanette Scott, Contracts Supervisor
Robert Hendricks, Contracts Coordinator
Amy Rivera, Special Projects Coordinator II

Exhibit A

Outstanding work includes but is not limited to the punchlist items below. All work is still subject to the Substantial Completion, Final Completion, and Guarantee walkthroughs and associated punchlist(s) as outlined in the contract documents.

Please note that the punchlist below is subject to updates based on the final preliminary as-built information.

Pineda Causeway Left Turn Lane (LTL)

1. Approximate station (STA) 106+00 to STA 107+00: Reconstruct area as needed to obtain passing density tests under curb pads. Where abutting concrete curb damage is present, sawcut to the nearest joint. Complete concrete curb installation. Obtain passing concrete test.
2. Approximate station (STA) 106+00 to STA 107+00: Ensure all deficient asphalt installed during the nightwork on 12/1/25 is fully removed and repaved in accordance with the contract documents.
3. Near S-100A: Reconstruct base as needed where roadway undermining occurred adjacent to missing curb locations. Obtain passing density tests where reconstructed.

Pineda Causeway Right Turn Lane (RTL)

1. Remove all excess fill and fully restore all potentially affected wetland areas. The Contractor (ACP) is fully responsible for any wetland impacts, if any.
2. Near S-104: Reconstruct roadway area that experienced undermining. Obtain passing density tests. The associated roadway opencut area shall be repaved to match the design pavement structure if compacted with a roller. If non-excavatable flowable fill is proposed, it shall extend the full lane width. Mill and resurface the full lane width of the impacted lane(s) 50-feet in each direction from the opencut limits.
3. Approximate STA 112+20 to STA 113+40: ACP sawcut roadway abutting replacement gutter and replaced base without properly scarifying, compacting, or testing. Reconstruct deficient base materials. Mill sufficient area to properly compact with a roller. Obtain passing density tests.
4. Approximate STA 111+40 to STA 114+20: Mill and resurface full area shown on plans, including CVS driveway.
5. STA 113+80, CVS driveway: Install the missing sidewalk/curb ramps and detectable warnings.
6. S-106 installed too high. Lower structure elevation for proper drainage and pavement cross slope. Reconstruct associated concrete curb & gutter and sidewalk. Obtain passing concrete test.
7. Approximate STA 114+00 to STA 115+00: Existing black base was removed. ACP replaced with base without scarifying, properly compacting, or testing. Reconstruct deficient materials and obtain passing density tests. If restoring with black base, submit shop drawing for proposed black base materials. Ensure reconstruction provides sufficient reveal to properly install 2-inch SP-12.5 and 1.5-inch FC-12.5.

Exhibit A

8. Approximate STA 114+00 to STA 115+00: Sawcut limits completed were wider than shown in the plans. Ensure additional impacted areas are properly restored.
9. Approximate STA 111+40 to STA 115+00: Ensure all deficient asphalt installed during the nightwork on 12/1/25 is fully removed and repaved in accordance with the contract documents.
10. Mill and resurface asphalt damaged during construction, extending the full affected lane width. Areas with only surface damage may be milled 1.5-inch and resurfaced with 1.5-inch FC-12.5 with fiber.
11. Correct S-107 misalignment issue.

Wickham Left Turn Lane (LTL)

1. Approximate STA 16+00 to 17+00: Mill and resurface full area shown on plans.

Wickham Right Turn Lane (RTL)

1. Mill and resurface asphalt damaged during construction, extending the full affected lane width. Areas with only surface damage may be milled 1.5-inch and resurfaced with 1.5-inch FC-12.5 with fiber.
2. Approximate STA 18+30: Reconstruct and retest roadway area where the base core thickness testing failed. Obtain passing density and base core thickness tests.
3. Approximate station (STA) 16+20 to STA 18+00: Ensure all deficient asphalt installed during the nightwork on 12/1/25 is fully removed and repaved in accordance with the contract documents.
4. Approximate station (STA) 16+20 to STA 18+40: Remove and replace curb & gutter and adjust S-202 and S-204 storm structures to meet required pavement cross slopes per the plans. Obtain passing concrete test.
5. Approximate station (STA) 16+20 to STA 18+40: Reconstruct base to meet required pavement cross slopes. Obtain passing density and base core thickness testing.

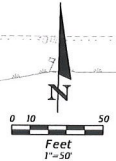
Entire Project Limits

1. Ensure SWPPP and MOT are properly installed and maintained during construction.
2. Provide complete preliminary as-builts prior to paving friction course. As-built also required for Substantial Completion and final as-built survey required for Final Completion.
3. Provide pipe videos.
4. Complete all manhole adjustments.
5. Complete all pavement markings work.
6. Complete all signage work.
7. Complete sod installation.
8. Restore staging area and all work areas to original condition or better.

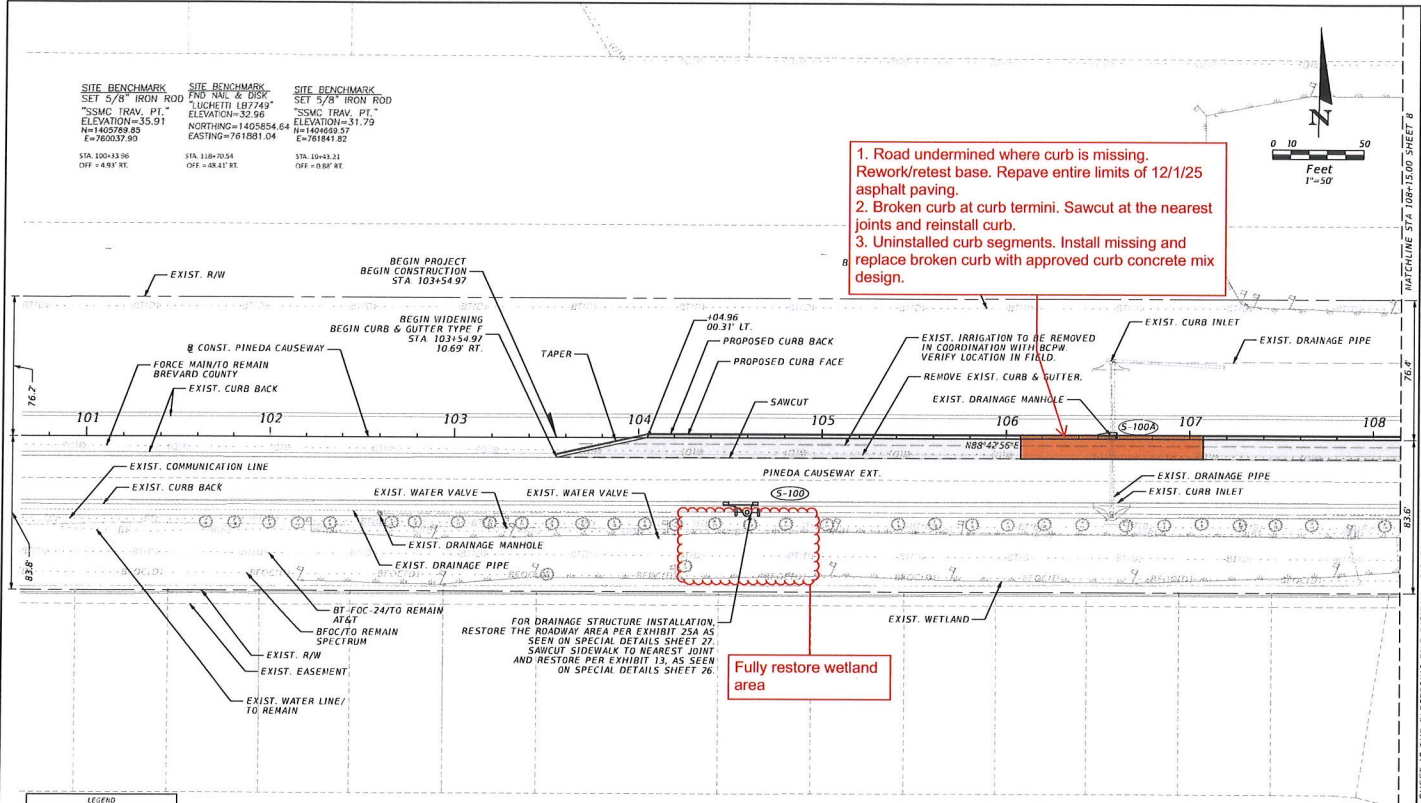
SITE BENCHMARK SET 5/8" IRON ROD "SSMC TRAV. PT." ELEVATION=35.91 N=1402788.85 E=760037.90 STA. 100+43.96 OFF =4.93' RT.

SITE BENCHMARK FND NAIL & DISK "LUCHEITI LB7749" ELEVATION=35.96 NORTHING=1405854.64 EASTING=761881.04 STA. 118+70.51 OFF =48.11' RT.

SITE BENCHMARK SET 5/8" IRON ROD "SSMC TRAV. PT." ELEVATION=31.79 N=1404608.57 E=761841.82 STA. 10+43.31 OFF =0.88' RT.



1. Road undermined where curb is missing. Rework/retest base. Repave entire limits of 12/1/25 asphalt paving.
2. Broken curb at curb termini. Sawcut at the nearest joints and reinstall curb.
3. Uninstalled curb segments. Install missing and replace broken curb with approved curb concrete mix design.



FOR DRAINAGE STRUCTURE INSTALLATION, RESTORE THE ROADWAY AREA PER EXHIBIT 25A AS SEEN ON SPECIAL DETAILS SHEET 27. SAWCUT SIDEWALK TO NEAREST JOINT AND RESTORE PER EXHIBIT 13, AS SEEN ON SPECIAL DETAILS SHEET 26.

Fully restore wetland area

LEGEND

	MILLING & RESURFACING
	WIDENING
	6" THICK CONCRETE SIDEWALK (INSTALL PER EXHIBITS 13, 14 & 15)

NOTES: 1. CURB RAMP AND SIDEWALK ELEVATIONS AND GRADES SHOWN IN THE PLANS ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED BY THE CONTRACTOR DURING CONSTRUCTION. 2. GRADES SHOWN IN THE PLANS ARE TRAVERSE GRADES UNLESS OTHERWISE STATED. PLEASE REFER TO TYPICAL SECTIONS FOR ADA COMPLIANT CROSS SLOPE INFORMATION.

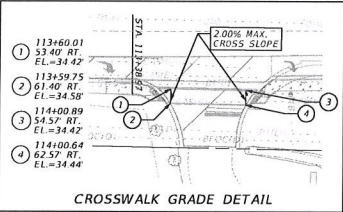
REVISIONS		DESCRIPTION		ENGINEER OF RECORD	BREVARD COUNTY TRAFFIC OPERATIONS DEPARTMENT			SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	JASON L. LYLE, P.E. LICENSE NUMBER: 69009 RUMMEL, KLEPPER & KAHL, LLP (RK&K) 402 S. KENTUCKY AVE, SUITE 400 LAKELAND, FL 33803	ROAD NO.	COUNTY	FINANCIAL PROJECT ID	
					PINEDA CAUSEWAY EXT	BREVARD		8

ROADWAY PLAN

MATCHLINE STA. 108+15.00 SHEET 8

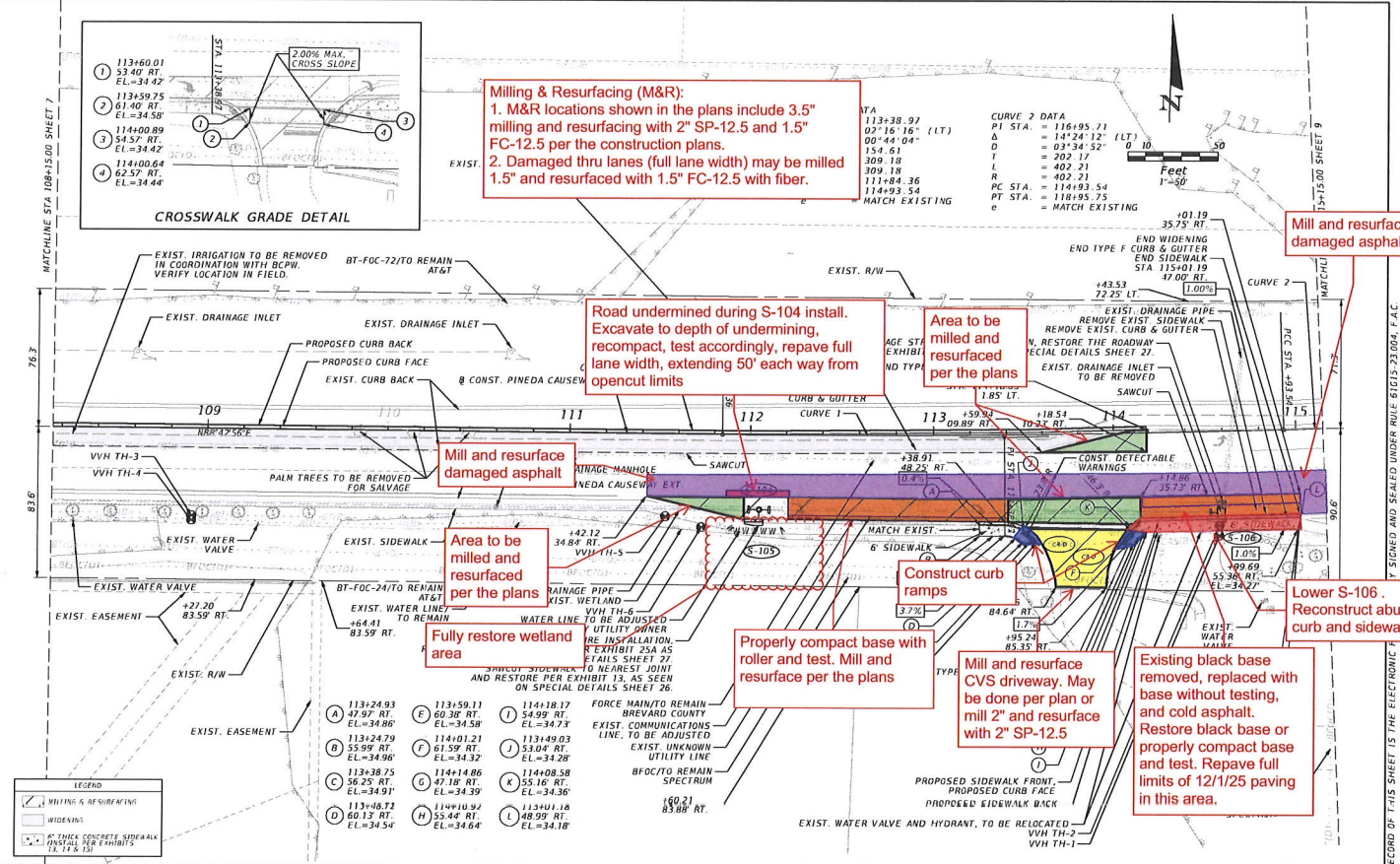
MATCHLINE STA. 108+15.00 SHEET 8

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



Milling & Resurfacing (M&R):
 1. M&R locations shown in the plans include 3.5" milling and resurfacing with 2" SP-12.5 and 1.5" FC-12.5 per the construction plans.
 2. Damaged thru lanes (full lane width) may be milled 1.5" and resurfaced with 1.5" FC-12.5 with fiber.

CURVE 2 DATA
 PI STA. = 116+95.71
 Δ = 14°24'12" (LT)
 D = 03°34'52"
 T = 202.17
 L = 402.21
 PC STA. = 114+93.54
 PT STA. = 118+95.75
 e = MATCH EXISTING



A	113+24.93 47.97 RT EL.=34.86	F	113+59.11 60.36 RT EL.=34.73	I	114+18.17 54.99 RT EL.=34.73
B	113+24.79 55.99 RT EL.=34.96	G	114+01.21 61.59 RT EL.=34.32	J	114+49.03 51.04 RT EL.=34.08
C	113+38.75 56.25 RT EL.=34.91	H	114+14.86 47.18 RT EL.=34.36	K	114+08.58 55.16 RT EL.=34.36
D	113+48.12 60.13 RT EL.=34.54	L	114+10.92 55.44 RT EL.=34.64		

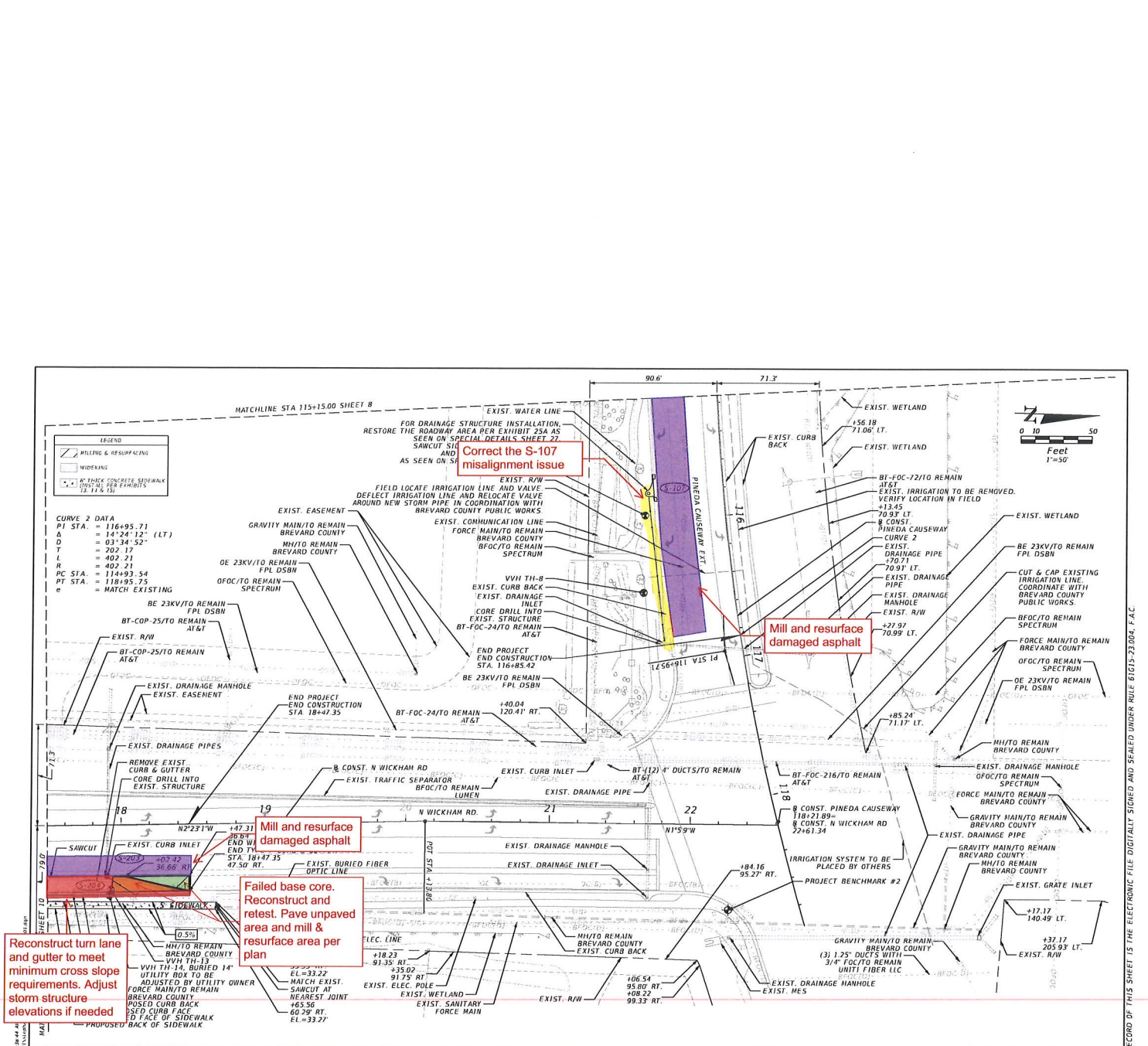
LEGEND

- MILLING & RESURFACING
- WIDENING
- THICK CONCRETE SIDEWALK (INSTALL PER EXHIBITS 13, 14 & 15)

DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION	ENGINEER OF RECORD	BREVARD COUNTY TRAFFIC OPERATIONS DEPARTMENT	ROAD NO.	COUNTY	FINANCIAL PROJECT ID	ROADWAY	CAUSEWAY	EXT.	SHEET NO.
					JASON L. LYLE, P.E. LICENSE NUMBER: 69009 RUMMEL, KLEPPER & KAHL, LLP (RK&K) 402 S. KENTUCKY AVE., SUITE 400 LAKELAND, FL 33801			BREVARD					9

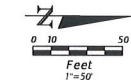
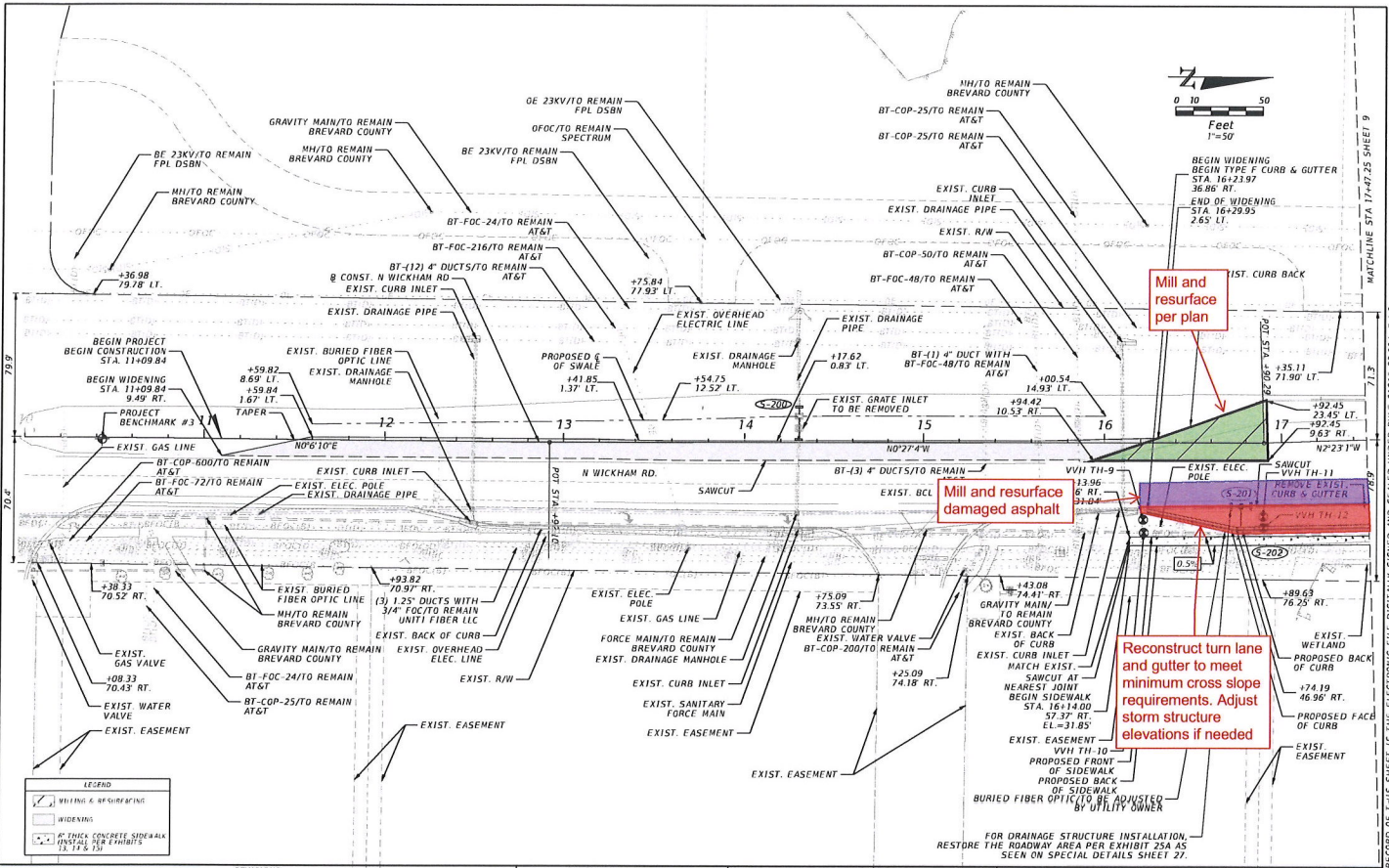
ROADWAY PLAN

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REVISIONS		DESCRIPTION		ENGINEER OF RECORD	BREVARD COUNTY TRAFFIC OPERATIONS DEPARTMENT			ROADWAY PLAN	SHEET NO. 10
DATE	DESCRIPTION	DATE	DESCRIPTION	JASON L. LYLE, P.E. LICENSE NUMBER: 69009 RUMMEL, KLEPPER & KAHL, LLP (RK&K) 402 S. KENTUCKY AVE., SUITE 400 LAKELAND, FL 33801	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					N WICKHAM RD	BREVARD			

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BEGIN WIDENING
BEGIN TYPE 'C' CURB & GUTTER
STA. 16+23.97
36.86' RT.
END OF WIDENING
STA. 16+29.25
2.65' LT.

Mill and resurface per plan

Mill and resurface damaged asphalt

Reconstruct turn lane and gutter to meet minimum cross slope requirements. Adjust storm structure elevations if needed

FOR DRAINAGE STRUCTURE INSTALLATION, RESTORE THE ROADWAY AREA PER EXHIBIT 25A AS SEEN ON SPECIAL DETAILS SHEET 27.

LEGEND

	MILLING & RESURFACING
	WIDENING

REVISIONS		ENGINEER OF RECORD		BREVARD COUNTY TRAFFIC OPERATIONS DEPARTMENT			ROADWAY PLAN	SHEET NO. 11
DATE	DESCRIPTION	DATE	DESCRIPTION	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
			JASON L. LYLE, P.E. LICENSE NUMBER: 69009 RUMMEL, KLEPPER & KAHL, LLP (RK&K) 402 S. KENTUCKY AVE., SUITE 400 LAKELAND, FL 33801	N WICKHAM RD	BREVARD			

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