

Agenda Item:

**3B-4**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

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Meeting Date: November 6, 2007    ☒ Consent    ☐ Regular  
   ☐ Workshop    ☐ Public Hearing

**Department:**

Submitted By:    Clerk & Comptroller

Submitted For:    Finance/Minutes

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**I. EXECUTIVE BRIEF**

**Motion and Title:**

Staff recommends motion to receive and file change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during August 2007.

**Background and Justification:**

These revisions are being submitted as directed by Resolution R-96-230 for Board of County Commissioners' Administrative Code Policy 307.03, Construction Change Orders and PPM CW-F-050.

**Attachments:**

Summaries, as provided by the Office of Financial Management & Budget.

Recommended by: \_\_\_\_\_

Richard Iavarone    10/11/07  
Richard Iavarone, Director of Accounting Services

Approved by: \_\_\_\_\_

N/A  
Assistant County Administrator

\_\_\_\_\_ Date

BOARD SERVICES (MINUTES) DIVISION

ROUTING INFORMATION SLIP:

DATE ROUTED: October 4, 2007

ROUTED TO: Richard Iavarone/Charles Mansen/Angela Sims

ROUTED FROM: Judith Crosbie, Board Services Phone: 3-3069

DESCRIPTION OF ITEM:

Change Orders list for August 2007 to be submitted for BCC approval 11/6/2007

(Must be submitted to the agenda coordinator 10/19/2007)

REQUESTED ACTION:

- ☒ Review and signature
- ☐ Review and information
- ☐ Other: \_\_\_\_\_

OTHER ROUTING INSTRUCTIONS:

- ☒ Return to originator
- ☐ Forward for additional processing to:

Judith Crosbie, Board Services

- ☐ Other: \_\_\_\_\_

10/5/07 *glen*

All items on the Contract Review Committee list  
have been reviewed by Pre-Audit and appear to be  
in compliance with County policies and procedures.  
Charles J. Mansen Jr 10/10/07



**Office of  
Financial Management & Budget  
Contract Development & Control**

P.O. Box 1989  
West Palm Beach, FL 33402-1989  
(561) 355-4150  
FAX: (561) 355-3675  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Robert J. Kanjian

Mary McCarty

Burt Aaronson

Jess R. Santamaria

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*



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**RECEIVED  
FINANCE  
SEP 21 2007  
SHARON R. BOCK  
Clerk & Comptroller**

**INTER-OFFICE COMMUNICATION  
PALM BEACH COUNTY**

**DATE:** September 20, 2007

**TO:** Honorable Addie L. Greene, Chairperson, and Members of  
the Board of County Commissioners

**FROM:** Irwin L. Jacobowitz, Director  
Contract Development & Control

**RE:** Contract Activity Report for the Month of August 2007

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In accordance with Countywide PPM# CW-F-050, this report is submitted to Board Members and the Clerk's Finance Department for informational purposes.

The enclosed package summarizes all items in relation to construction and design/consulting work approved by the Contract Review Committee and by the applicable Lead Departments during the month of August 2007.

If you have any questions pertaining to this report, feel free to contact me at 355-4150.

**Enclosures**

cc: ✓ Grant Skolnick, Board Services, Finance/Clerk & Comptroller  
Phyllis House, Minutes, Finance/Clerk & Comptroller  
Milen Martinez Reynolds, Contract Development & Control/OFMB

**THE FOLLOWING ITEMS WERE APPROVED BY THE WATER UTILITIES DEPARTMENT OR  
THE CONTRACT REVIEW COMMITTEE FOR THE CONTINUING CONSTRUCTION CONTRACT/SPECIAL ASSESSMENT  
PROGRAMS DURING THE MONTH OF AUGUST 2007**

	PROJECT	CONTRACTOR	AUTHORIZATION #	AMOUNT
1	Project #05-115 Boca Greens Back Nine Drive 10" DIP Water Main Replacement District #5	Foster Marine Contractors, Inc. R2006-2732	Auth. 6	\$193,137.91
2	Project #06-183A Aberdeen 12" Reclaimed Water Main on Boynton Beach Blvd District #5	Foster Marine Contractors, Inc. R2006-2732	Auth. 5	\$136,282.10

/

**WORK AUTHORIZATION NO. 6  
WATER UTILITIES DEPARTMENT  
CONTINUING CONSTRUCTION CONTRACT**

**Project No. WUD 05-115**

**District: 5**

**Budget Line Item No. 4011-721-W006-6543**

**Project Title: Boca Greens Back Nine Drive 10" DIP Water Main Replacement**

**THIS AUTHORIZATION # 6** to the Contract for Construction Services dated December 19, 2006 (Resolution/Document 2006-2732), by and between Palm Beach County and the Contractor identified herein, is for the Construction Services described in Item 3 of this Authorization. The Contract provides for 14.98% SBE participation overall. This Authorization includes 15.35% overall participation. The cumulative SBE participation including this work authorization, is 15.0967% overall

1. **CONTRACTOR:** Foster Marine Contractors, Inc.
2. **ADDRESS:** 7313 West Port Place, West Palm Beach, FL 33413
3. **Description of Services** to be provided by the Contractor:

See EXHIBIT "A".

4. **Services completed** by the Contractor to date:

See EXHIBIT "B" and "C".

5. Contractor shall begin work promptly with the following work commencing from the notice to proceed date:  
Substantial Completion 150 Calendar Days,  
Final Completion 180 Calendar Days  
Liquidated damages will apply in accordance with Paragraph 1.6.1 of the Contract Bid Form
  6. The compensation to be paid to the Contractor for providing the requested services in accordance with the Contract Bid Prices is \$193,137.91
  7. EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED, all other terms, conditions and obligations of the Contract dated December 19, 2006 remain in full force and effect.
-

**WORK AUTHORIZATION NO. 6  
WATER UTILITIES DEPARTMENT  
CONTINUING CONSTRUCTION CONTRACT**

**Project No. WUD 05-115**


**Project Title: Boca Greens Back Nine Drive 10" DIP Water Main Replacement**

IN WITNESS WHEREOF, this Authorization is accepted, subject to the terms, conditions and obligations of the aforementioned Contract.

**CONTRACTOR**

**PALM BEACH COUNTY**

Foster Marine Contractors, Inc.

  
(Signature)

Larry Brennen, Vice President  
(Name and Title)

Attest:


  
Witness Signature

JOHN E. RICH  
Witness Printed Name

Date: July 13, 2007

(CORPORATE SEAL)

(Signature)

  
Irwin Jacobowitz, Chairman,  
Contract Review Committee  
(Name and Title)

Date:

8/1/07

**APPROVED BY THE  
CONTRACT REVIEW COMMITTEE**

## **EXHIBIT 'A'**

### **WORK AUTHORIZATION NO. 6 PALM BEACH COUNTY WATER UTILITIES DEPARTMENT ENGINEERING/PROFESSIONAL SERVICES**

#### **SCOPE OF WORK FOR**

#### **Boca Greens Back Nine Drive 10" DIP Water Main Replacement**

#### **INTRODUCTION**

Palm Beach County (County) entered into a Contract for Construction Services date December 19, 2006 (Resolution/Document 2006-2732), by and between Palm Beach County and Foster Marine Contractors, Inc., for the Construction Services of this Authorization.

This Contract for Construction Services encompasses providing services related to installation of reclaimed water pipeline and appurtenances.

#### **SCOPE OF SERVICES**

The Contractor shall provide and install approx. 910 lf of 10" ductile iron pipe water main and appurtenances to replace an existing 10" PVC water main and reconnect 12 existing water services on the south side of Back Nine Dr. from Broadmoor Ct. SE towards Harbortown Ct. in Boca Greens Subdivision and take the existing pvc main out of service. The installation will be installed in accordance with Palm Beach County Water Utilities Department Minimum Engineering and Construction Standards, as indicated in the construction plans and contract documents.

#### **COMPENSATION**

Compensation shall be based on the Contract for Construction Services dated December 19, 2006 (Resolution/Document 2006-2732) as approved by the Board of County Commissioners.

#### **SBE- M/WBE PARTICIPATION**

As described in Section 7.5 of the Contract, SBE participation is included in Attachment B and Attachment C under this Authorization. The attached Schedule 1 defines the SBE -M/WBE applied to this Contract.

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ATTACHMENT – A	Public Construction Bond
ATTACHMENT – B	Work Authorization Schedule of Bid Items
ATTACHMENT – C	SBE Schedule 1
ATTACHMENT – D	SBE Schedule 2
ATTACHMENT – E	Location Map

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**PUBLIC CONSTRUCTION BOND**

BOND NUMBER: 08852471

BOND AMOUNT: \$ 193,137.91

CONTRACT AMOUNT: \$ 193,137.91

CONTRACTOR'S NAME: FOSTER MARINE CONTRACTORS, INC.

CONTRACTOR'S ADDRESS: 7313 Westport Place  
West Palm Beach, FL. 33413

CONTRACTOR'S PHONE: 561-683-0034

SURETY COMPANY: Fidelity & Deposit of Maryland

SURETY'S ADDRESS: 26957 Northwestern Hwy., Suite 120  
Southfield, MI. 48034

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: 8100 Forest Hill Boulevard  
P. O. Box 16097  
West Palm Beach, FL 33416

OWNER'S PHONE: (561) 493-6000

DESCRIPTION OF WORK: Replace 10" DIP Water Main on Back Nine Drive in Boca Greens Subdvn  
WUD 05-115

PROJECT LOCATION: Back Nine Drive btwn Broadmoor Ct. and Harbourtown Ct.

LEGAL DESCRIPTION: Continuing Construction Contract  
Project No. 06-144

**PUBLIC CONSTRUCTION BOND**

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Contract.

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto  
Palm Beach County Board of County Commissioners  
301 N. Olive Avenue  
West Palm Beach, Florida 33401

as Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of \$ **193,137.91**

One Hundred Ninety Three Thousand One Hundred Thirty Seven and 91/100  
(Insert a sum equal to Contract Price)

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Principal has by written agreement dated 19 December, 2006, entered into a contract with the County for

Project Name: Water Utilities Department Continuing Construction Contract  
Project No. WUD 06-144  
Project Description: furnishing and installing raw water mains, potable water mains, wastewater collection, force mains, reclaimed water mains, lift station wetwells, wastewater manholes, submersible pumps and related appurtenances at the Owners discretion thru multiple Work Authorizations, to be issued on an as-needed basis for a twelve month period

Project Location: systemwide

in accordance with Drawings and Specifications prepared by

Palm Beach County Water Utilities Department  
8100 Forest Hill Boulevard  
West Palm Beach, FL 33406  
TELEPHONE: (561) 493-6000  
FAX: (561) 493-6113

which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated 19 December, 2006, between Principal and County for the design and construction of \* SEE BELOW, the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and

\*Replace 10" DIP Water Main on Back Nine Drive in Boca Greens Subdivision

2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and

\* Continuing Construction Contract – Project No. WUD 06-144

3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, that County sustains because of a default by Principal under the contract; and

4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

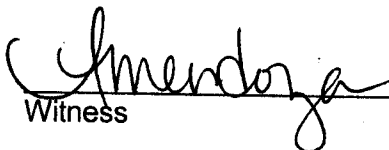
5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.

6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.

7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the contract are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverages and limitations of this instrument.

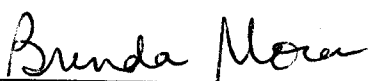
8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.

9. Any action brought under this instrument shall be brought in the state court of competent jurisdiction in Palm Beach County and not elsewhere.

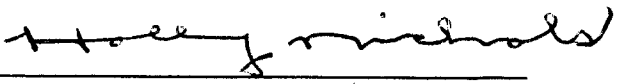
  
Witness

Foster Marine Contractors, Inc.  
Principal (Seal)

BY:   
Title Larry Brennen – Vice President

  
Witness

Fidelity & Deposit Company of Maryland  
Surety (Seal)

BY:   
Title Holly Nichols, Attorney-in-fact

**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 M. P. HAMMOND, 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 **John G. GROWNEY, Barry L. HUNT, Kathleen O'LAUGHLIN, Marla KOWALSKI, Holly NICHOLS and William C. FRENCH, all of Troy, Michigan**, 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 John G. GROWNEY, Barry L. HUNT, Kathleen O'LAUGHLIN, Marla KOWALSKI, Holly NICHOLS, dated May 5, 2003.

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 9th day of March, A.D. 2007.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gregory E. Murray*

Gregory E. Murray Assistant Secretary

*M. P. Hammond*

By:

M. P. Hammond

Vice President

State of Maryland } ss:  
City of Baltimore }

On this 9th day of March, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came M. P. HAMMOND, 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.



*Constance A. Dunn*

Constance A. Dunn

Notary Public

My Commission Expires: July 14, 2007

	<b>Palm Beach County Water Utility Department</b>				
	<b>Continuing Construction Program 06-144</b>				
	<b>Boca Greens 10" Water Main Replacement</b>				
	<b>WUD 05-115</b>				
	<b>Work Authorization #</b>				
16	10" DIP WM/Rclm WM 3 - 5' cover	910	lf	43.00	39,130.00
18	10" DIP WM conflict 20' pipe 4 45 deg 5-7' cover	1	ea	4,700.00	4,700.00
41	DI Fittings WM/Rclm WM	0.533	ton	3,600.00	1,918.80
64	6" MJ Restraint for DIP	2	ea	39.00	78.00
66	10" MJ Restraint for DIP	14	ea	78.00	1,092.00
78	10" Joint Rest Gasket	10	ea	120.00	1,200.00
94	6" Gate Valve & Box		ea	950.00	0.00
96	10" Gate Valve & Box	2	ea	1,750.00	3,500.00
128	Sample Point w/dbl strap saddle & corp stop	2	ea	400.00	800.00
131	2" Blow off Assmbly	1	ea	615.00	615.00
161	4" to 12" Conn to Exist not inclu restraint	2	ea	4,200.00	8,400.00
164	Dewatering w/Well Points or Sock		lf	16.00	0.00
220	Concrete Dr Removal and Restoration	245	sy	46.00	11,270.00
222	Concrete Sidewalk Removal & Restoration	405	sy	42.00	17,010.00
226	Floritam Sod	1,183	sy	4.25	5,027.75
228	Root Barrier		lf	25.00	0.00
229	Rem & Reinstall Trees up to 4" dia or Palm Tree 12"	5	ea	600.00	3,000.00
230	Record Drawing	910	lf	0.70	637.00
231	Construction Survey	910	lf	4.00	3,640.00
232	Preconstruction Video Taping	910	lf	0.50	455.00
233	Mail Box Removal & Reinstallment	11	ea	50.00	550.00
234	MOT Residential Street	910	lf	0.70	637.00
237	Density Tests	12	ea	50.00	600.00
238	Proctor Tests	2	ea	100.00	200.00
240	Addit Pipe Crew Hours greater than 60" cover	80	ea	750.00	60,000.00
242	Additional Work not included + 15% ohp	.0285245	ls	357,000.00	10,183.25
243	Irrigation Repairs per lot serarate prop control #	12	ea	225.00	2,700.00
244	Mob/DeMob 3% + \$10,000.00 per WA	.03190735	ls	495,000.00	15,794.14
				<b>TOTAL</b>	<b>\$193,137.94</b>

L&L Worldwide Inc.				\$26,407.98	
Odums Sod				\$2,874.69	
Birdseyeview				\$364.00	
				\$29,646.67	29,646.67
Stamped Concrete Drive additional costs (item 220)	55	sy		\$35.00	1,925.00
Colored Concrete Drive additional costs (item 220)	66	sy		\$10.00	660.00
Temporary 3" Water Main	950	lf		\$2.00	1,900.00
Haul existing water main off site	1	ls		\$950.00	950.00
Material for Connection of existing Svc to New Main	12	ea		\$235.00	2,820.00
Temporary Water Services	12	ea		\$50.00	600.00
					8,855.00
				15%	1,328.25
					10,183.25
Extra Hours					
Close proximity to existing watermain 910'	16	hr			
Relocate Hydrants 2 ea	6	hr			
Reconnect exist services after HRC approval 12 ea	15	hr			
Temporary Water Main install and remove	16	hr			
Temporary Water Services installed	15	hr			
Installation of New Services on New Main	12	hr			
	80	hr			

# ATTACHMENT C

## SCHEDULE #1

### LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS

PROJECT NAME: Boca Greens Back Nine Dr 10" DIP Water Main Replacement PROJECT NUMBER: WUD 05-115

NAME OF PRIME BIDDER: Foster Marine Contractor, Inc. ADDRESS: 7313 West Port Place, West Palm Beach, Florida 33413

CONTACT PERSON: Larry Brennen, V.P. PHONE NO.  FAX NO.

BID OPENING DATE:

Name, Address and Telephone Number of Minority Contractor	PLEASE IDENTIFY ALL APPLICABLE CATEGORIES (Check one or both Categories)						Dollar Amount	
	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)	
L & L Worldwide Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$ 26,407.98		\$	
Birdseye View	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$364.00	\$	\$	
Odums Sod	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$2,874.69	\$	\$	\$	\$	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$	\$	\$	\$		
	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$	
PRIME CONTRACTOR TO COMPLETE:	TOTAL		\$ 2,874.69	\$ -	\$ 26,771.98	\$ -	\$ -	
BID PRICE: <u>\$ 193,137.91</u>	Total Value of SBE Participation:		<u>\$ 29,646.67</u>					

- NOTE:
1. The amount listed on this form for a Subcontractor must be supported by price or percentage included on Schedule 2 or a proposal from each Subcontractor listed in order to be counted toward goal attainment.
  2. Firms may be certified by Palm Beach County as an SBE and/or an M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.
  3. M/WBE information is being collected for tracking purposes only.

**ATTACHMENT C****SCHEDULE 2****LETTER OF INTENT TO PERFORM AS AN SBE OR M/WBE SUBCONTRACTOR**

PROJECT NO. WUD 05-115 PROJECT NAME: Boca Greens Back Nine Dr 10" DIP WM Replacement  
 TO: FOSTER MARINE CONTRACTOR'S INC.  
 (Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) - (check one or more, as applicable):

Small Business Enterprise ☒ Minority Business Enterprise ☐

Black ☐ Hispanic ☐ Women ☒ Caucasian ☐ Other (Please Specify) ☐

Date of Palm Beach County Certification: 3/10/05 - 3/10/08

The undersigned is prepared to perform the following described work in connection with the above project  
 (Specify in detail, particular work items or parts thereof to be performed):

Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
1-244	Supply Pipe Fitting Valves, etc.	1		\$ 28,407.98

at the following price

**\$ 44,013.30 x 60% = \$ 26,407.98**

(Subcontractor's quote)

And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$ - 0 -

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

L & L Worldwide INC  
 (Print Name of SBE-M/WBE Subcontractor)

By: Lula Stock  
 (Signature)

Lula Stock Pres  
 (Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Date: 7/21/07

TOTAL P.02



**ATTACHMENT C**

**SCHEDULE 2**

**LETTER OF INTENT TO PERFORM AS AN SBE OR M/WBE SUBCONTRACTOR**

PROJECT NO. WUD 05-115

PROJECT NAME: Boca Greens Back Nine Dr 10" DIP WM Replacement

TO: FOSTER MARINE CONTRACTOR'S INC  
(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) - (check one or more, as applicable):

Small Business Enterprise ☒

Minority Business Enterprise ☐

Black ☐ Hispanic ☐ Women ☒ Caucasian ☐ Other (Please Specify) ☐

Date of Palm Beach County Certification: 1-23-10

The undersigned is prepared to perform the following described work in connection with the above project (Specify in detail, particular work items or parts thereof to be performed):

Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
232	Pre-Construction Video	11	\$40	\$ 364.00

at the following price  
\$ 364.00

(Subcontractor's quote)

And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$ 0.00

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

Bird's Eye View  
(Print name of SBE/M/WBE Subcontractor)

By: Kathy A. Robinson  
(Signature)

Kathy A. Robinson Owner  
(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Date: 7.12.07

**ATTACHMENT C****SCHEDULE 2****LETTER OF INTENT TO PERFORM AS AN SBE OR MWBE SUBCONTRACTOR**

PROJECT NO. WUD 05-115 PROJECT NAME: Boca Greens Back Nine Dr 10" DIP WM Replacement

TO: FOSTER MARINE CONTRACTOR'S INC.

(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) - (check one or more, as applicable):

Small Business Enterprise ☒Minority Business Enterprise ☒Black ☒ Hispanic ☐ Women ☐ Caucasian ☐ Other (Please Specify) ☐Date of Palm Beach County Certification: 12/6/04

The undersigned is prepared to perform the following described work in connection with the above project (Specify in detail, particular work items or parts thereof to be performed):

Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
226	Floritam Sod	sy	2.43	\$ 2,874.69
227	Bahia Sod	sy	1.465	\$

at the following price

**\$ 2,874.69**

(Subcontractor's quote)

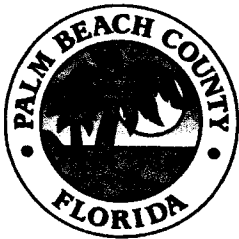
And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$ 0

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

Odums' Sod inc  
(Print Name of SBE-MWBE Subcontractor)By: Charles H. Aquilano  
(Signature)Charles H. Aquilano mgr  
(Print name/title of person executing on behalf of SBE-MWBE Subcontractor)Date: 7/13/07

TOTAL P.02



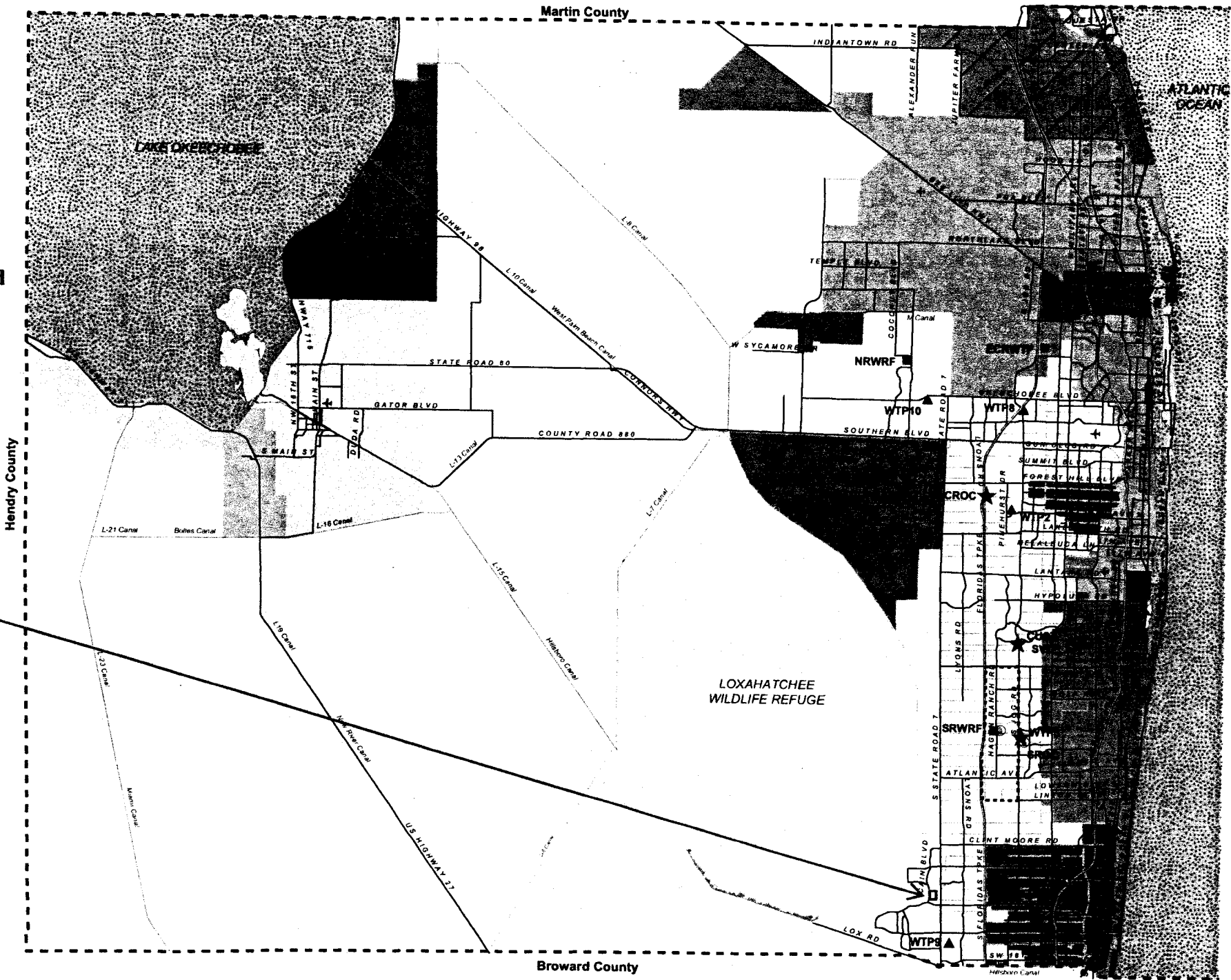
Palm Beach County  
Water Utilities  
Department  
Service Area (SA) and  
Major Facilities

This Project

- Legend
- P.B.C.W.U.D. SA
  - MANDATORY RECLAIMED SA
  - - - Palm Beach County Limits
  - ★ Administration
  - Water Reclamation Facility
  - ▲ Water Treatment Facility
  - Wetlands



NOT TO SCALE



## SUMMARY AND STATUS OF REQUESTS FOR AUTHORIZATIONS

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

# EXHIBIT -C

## CONTINUING CONSTRUCTION CONTRACT SUMMARY OF SMALL BUSINESS ENTERPRISE TRACKING SYSTEM

### Work Authorization No.6

	TOTAL	BLACK	HISPANIC	OTHER	WOMAN
<b>Current Proposal</b>					
Value of Authorization No. 6	\$193,137.91				
Value of SBE Letters of Intent	\$29,645.67	\$2,874.69	\$0.00	\$0.00	\$26,771.98
Actual Percentage	15.35%	1.48%	0.00%	0.00%	13.86%
<b>Signed Authorizations</b>					
Total Value of Authorizations	\$2,386,459.05				
Total Value of SBE Signed Subcontracts	\$359,787.55	\$26,939.30	\$0.00	\$0.00	\$332,848.25
Actual Percentage	15.07%	1.12%	0.00%	0.00%	13.94%
<b>Signed Authorizatons plus Current Proposal</b>					
Total Value of Authorizations	\$2,579,596.96				
Total Value of Subcontracts & Letters of Intent	\$389,433.22	\$29,813.99	\$0.00	\$0.00	\$359,620.23
Actual Percentage	15.09%	1.15%	0.00%	0.00%	13.94%

**INTEROFFICE COMMUNICATION  
PALM BEACH COUNTY  
BUDGET AVAILABILITY STATEMENT**

**DATE:** July 20, 2007

**TO:** Irwin L. Jacobowitz, Director  
Contract Development and Control

**FROM:** Guy Eggertsson, Fiscal Manager 1  
Water Utilities Department

*aw Guy Eggertsson*

**RE:** Boca Greens Back Nine Drive 10" Water Main Replacement  
Foster Marine Contractors, Inc. Authorization #6  
WUD Project Number 05-115

**FISCAL IMPACT ANALYSIS:**

Summary of Fiscal Impact:

	2007
Capital Expenditures	\$193,137.91
Operating Costs	
Days	

Is item included in current budget? Yes X No \_\_\_\_

Budget Account Number:

Fund	Department	Unit	Object	Allocation
4011	721	W006	6543	100%

**Recommended Sources of Funds/Summary of Fiscal Impact:**

One-time capital expenditure to be funded from user fees.

2

**WORK AUTHORIZATION NO. 5  
WATER UTILITIES DEPARTMENT  
CONTINUING CONSTRUCTION CONTRACT**

**Project No. WUD 06-183A**

**District: 5**

**Budget Line Item No. 4011-721-W006-6543**

**Project Title: Aberdeen 12" Reclaimed Water Main on Boynton Beach Blvd**

**THIS AUTHORIZATION # 5** to the Contract for Construction Services dated December 19, 2006 (Resolution/Document 2006-2732), by and between Palm Beach County and the Contractor identified herein, is for the Construction Services described in Item 3 of this Authorization. The Contract provides for 14.98% SBE participation overall. This Authorization includes 15.34% overall participation. The cumulative proposed SBE participation, including this authorization is 15.02% overall.

1. **CONTRACTOR:** Foster Marine Contractors, Inc.
2. **ADDRESS:** 7313 West Point Place, West Palm Beach, Fl. 33413
3. **Description of Services to be provided by the Contractor:**

See EXHIBIT "A".

4. **Services completed by the Contractor to date:**

See EXHIBIT "B" and "C".

5. Contractor shall begin work promptly with the following work commencing from the notice to proceed date:  
Substantial Completion 150 Calendar Days,  
Final Completion 180 Calendar Days  
Liquidated damages will apply in accordance with Paragraph 1.6.1 of the Contract Bid Form
6. The compensation to be paid to the Contractor for providing the requested services in accordance with the Contract Bid Prices is \$136,282.10
7. EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED, all other terms, conditions and obligations of the Contract dated December 19, 2006 remain in full force and effect.

**WORK AUTHORIZATION NO. 5  
WATER UTILITIES DEPARTMENT  
CONTINUING CONSTRUCTION CONTRACT**

**Project No. WUD 06-183A**

**Project Title: Aberdeen 12" Reclaimed Water Main on Boynton Beach Blvd**

IN WITNESS WHEREOF, this Authorization is accepted, subject to the terms, conditions and obligations of the aforementioned Contract.

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

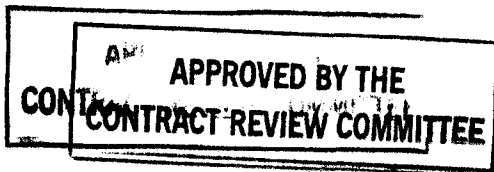
ATTEST:

Director, Contract Development & Control

  
Irwin Jacobowitz

Date

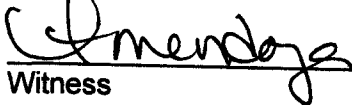
8/15/07



CONTRACTOR

Foster Marine Contractors, Inc.

ATTEST:

  
Witness

Andrea Mendez  
(Name and Title)

  
(Signature)

Larry Brennen, Vice President  
(Name and Title)

(CORPORATE SEAL)

Date

7-10-07



## **EXHIBIT 'A'**

### **WORK AUTHORIZATION NO. 5 PALM BEACH COUNTY WATER UTILITIES DEPARTMENT ENGINEERING/PROFESSIONAL SERVICES**

#### **SCOPE OF WORK FOR**

#### **12" Reclaimed Water Main on Boynton Beach Blvd**

#### **INTRODUCTION**

Palm Beach County (County) entered into a Contract for Construction Services date December 19, 2006 (Resolution/Document 2006-2732), by and between Palm Beach County and Foster Marine Contractors, Inc., for the Construction Services of this Authorization.

This Contract for Construction Services encompasses providing services related to installation of reclaimed water pipeline and appurtenances.

#### **SCOPE OF SERVICES**

The Contractor shall provide and install 12" ductile iron pipe reclaimed water main and appurtenances connecting to existing reclaimed mains on the South Side of Boynton Beach Blvd @ Mizner Falls Way between Hagen Ranch Road and Jog Rd. and will be installed in accordance with Palm Beach County Water Utilities Department Minimum Engineering and Construction Standards, as indicated in the construction plans and contract documents.

#### **COMPENSATION**

Compensation shall be based on the Contract for Construction Services dated December 19, 2006 (Resolution/Document 2006-2732) as approved by the Board of County Commissioners.

#### **SBE- M/WBE PARTICIPATION**

As described in Section 7.5 of the Contract, SBE participation is included in Attachment B and Attachment C under this Authorization. The attached Schedule 1 defines the SBE -M/WBE applied to this Contract.

ATTACHMENT – A	Public Construction Bond
ATTACHMENT – B	Work Authorization Schedule of Bid Items
ATTACHMENT – C	SBE Schedule 1
ATTACHMENT – D	SBE Schedule 2
ATTACHMENT – E	Location Map

**ATTACHMENT C**

**SCHEDULE #1**

**LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS**

PROJECT NAME:	<u>Aberdeen 12" Reclaimed Water Main on Boynton Beach Blvd</u>	PROJECT NUMBER:	<u>WUD 06-183A</u>
NAME OF PRIME BIDDER:	<u>Foster Marine Contractor, Inc.</u>	ADDRESS:	<u>7313 West Port Place, West Palm Beach, Florida 33413</u>
CONTACT PERSON:	<u>Larry Brennan, V.P.</u>	PHONE NO.:	<u></u>
BID OPENING DATE:	<u></u>	FAX NO.:	<u></u>

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES							
Name, Address and Telephone Number of Minority Contractor	(Check one or both Categories)						Dollar Amount
	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
L & L Worldwide Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$ 16,059.70		\$
Birdseye View	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$553.50	\$	\$
Odums Sod	<input checked="" type="checkbox"/>	<input type="checkbox"/>	\$4,306.10	\$	\$	\$	\$
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$	\$	\$	\$	
	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$
PRIME CONTRACTOR TO COMPLETE:	TOTAL		\$ 4,306.10	\$ -	\$ 16,613.20	\$ -	\$ -
BID PRICE: <u>\$ 136,282.10</u>	Total Value of SBE Participation:		<u>\$ 20,919.30</u>				

NOTE:

- 1. The amount listed on this form for a Subcontractor must be supported by price or percentage included on Schedule 2 or a proposal from each Subcontractor listed in order to be counted toward goal attainment.
- 2. Firms may be certified by Palm Beach County as an SBE and/or an M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.
- 3. M/WBE information is being collected for tracking purposes only.

## ATTACHMENT C

### SCHEDULE 2

#### LETTER OF INTENT TO PERFORM AS AN SBE OR MWBE SUBCONTRACTOR

PROJECT NO. WUD 06-183A  
Boynston Beach Blvd.

PROJECT NAME: Aberdeen 12" Reclaimed water main on

TO: FOSTER MARINE CONTRACTOR'S INC.

(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) - (check one or more, as applicable):

Small Business Enterprise ☒

Minority Business Enterprise ☐

Black ☐ Hispanic ☐ Women ☒ Caucasian ☐ Other (Please Specify) ☐

Date of Palm Beach County Certification: 7-23-10

The undersigned is prepared to perform the following described work in connection with the above project  
(Specify in detail, particular work items or parts thereof to be performed):

Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
232	Pre-Construction Video	17	\$40	\$653.50

at the following price  
\$ 553.50

(Subcontractor's quote)

And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$ 0.00

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

Rind's Eye View  
(Print Name of SBE-MWBE Subcontractor)

By: Kathy A. Robinson  
(Signature)

Kathy A. Robinson DWR  
(Print name of person executing on behalf of SBE-MWBE Subcontractor)

Date: 7-20-07

**ATTACHMENT C****SCHEDULE 2****LETTER OF INTENT TO PERFORM AS AN SBE OR MWBE SUBCONTRACTOR**

PROJECT NO. WUD 06-183A PROJECT NAME: Aberdeen 12' Reclaimed water main on Boynton Beach Blvd

TO: FOSTER MARINE CONTRACTOR'S INC.  
(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) – (check one or more, as applicable):

Small Business Enterprise ☒ Minority Business Enterprise ☐

Black ☐ Hispanic ☐ Women ☒ Caucasian ☐ Other (Please Specify) ☐

Date of Palm Beach County Certification: 3/10/05 - 3/10/08

The undersigned is prepared to perform the following described work in connection with the above project  
(Specify in detail, particular work items or parts thereof to be performed):

Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
1-244	Supply Pipe Fitting Valves, etc.	1		\$ 16,059.70

at the following price

**\$26,766.17 x 60% = \$ 16,059.70**

(Subcontractor's quote)

And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$ -0-

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

L & L Worldwide Inc.  
(Print Name of SBE-MWBE Subcontractor)

By: [Signature]  
(Signature)

Luba Stock / Pres  
(Print name/title of person executing on behalf of SBE-MWBE Subcontractor)

Date: 07/02/2007

TOTAL P.03

**ATTACHMENT C****SCHEDULE 2****LETTER OF INTENT TO PERFORM AS AN SBE OR MWBE SUBCONTRACTOR**

PROJECT NO. WUD 06-183A PROJECT NAME: Aberdeen 12" Reclaimed water main on Boynton Beach Blvd

TO: FOSTER MARINE CONTRACTOR'S INC.  
(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) - (check one or more, as applicable):

Small Business Enterprise ☒

Minority Business Enterprise ☒

Black ☒ Hispanic ☐ Women ☐ Caucasian ☐ Other (Please Specify) ☐

Date of Palm Beach County Certification: 12-6-04

The undersigned is prepared to perform the following described work in connection with the above project (Specify in detail, particular work items or parts thereof to be performed):

Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
226	Floritam Sod	sy	2.43	\$ 4,306.10
227	Bahia Sod	sy	1.485	\$

at the following price  
**\$ 4,306.10**

(Subcontractor's quote)

And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

Adrian Sord  
(Print Name of SBE-MWBE Subcontractor)

By James W. Hammond

(Signature)

James W. Hammond  
(Print name/title of person executing on behalf of SBE-MWBE Subcontractor)

Date: 7-3-06

	<b>Palm Beach County Water Utility Department</b>				
	<b>Continuing Construction Program 06-144</b>				
	<b>Aberdeen Rclmd Water Pipeline</b>				
	<b>WUD 06-183a</b>				
	<b>Work Authorization #</b>				
21	12" DIP WM/Rclm WM 3 - 5' cover	1,350	lf	53.00	71,550.00
41	DI Fittings WM/Rclm WM	0.5510	ton	3,600.00	1,983.60
64	6" MJ Restraint for DIP	2	ea	39.00	78.00
67	12" MJ Restraint for DIP	12	ea	104.00	1,248.00
79	12" Joint Rest Gasket	4	ea	130.00	520.00
94	6" Gate Valve & Box	1	ea	950.00	950.00
128	Sample Point w/dbl strap saddle & corp stop	1	ea	400.00	400.00
161	4" to 12" Conn to Exist not inclu restraint	2	ea	4,200.00	8,400.00
219	Asphalt Dr Removal and Restoration	160	sy	38.00	6,080.00
222	Concrete Sidewalk Removal & Restoration	10	sy	42.00	420.00
224	Concrete Curb & Gutter Removal & Restoration	30	lf	65.00	1,950.00
226	Floritam Sod	2,890	sy	4.25	12,282.50
229	Rem & Reinstall Trees up to 4" dia or Palm Tree 12"		ea	600.00	0.00
230	Record Drawing	1,350	lf	0.70	945.00
231	Construction Survey	1,350	lf	4.00	5,400.00
232	Preconstruction Video Taping	1,350	lf	0.50	675.00
235	MOT Aerial Roadway	1,350	lf	2.00	2,700.00
237	Density Tests	3	ea	50.00	150.00
238	Proctor Tests	1	ea	100.00	100.00
240	Addit Pipe Crew Hours greater than 60" cover		ea	750.00	0.00
242	Additional Work not included + 15% ohp		ls	357,000.00	0.00
243	Irrigation Repairs per lot serarate prop control #	28	ea	225.00	6,300.00
244	Mob/DeMob 3% + \$10,000.00 per WA		ls	495,000.00	14,150.00
				<b>TOTAL</b>	<b>\$136,282.10</b>
	L&L Worldwide Inc.				\$ 16,059.70
	Odums Sod				\$ 4,306.10
	Birdseyeview				\$ 553.50
	Southern Transport				
	Palmwood Construction				
	Rangeline Tapping Services				
					\$ 20,919.30

**PUBLIC CONSTRUCTION BOND**

BOND NUMBER: 08852468

BOND AMOUNT: \$ 136,282.10

CONTRACT AMOUNT: \$ 136,282.10

CONTRACTOR'S NAME: FOSTER MARINE CONTRACTORS, INC.

CONTRACTOR'S ADDRESS: 7313 Westport Place  
West Palm Beach, FL. 33413

CONTRACTOR'S PHONE: 561-683-0034

SURETY COMPANY: Fidelity & Deposit of Maryland

SURETY'S ADDRESS: 26957 Northwestern Hwy., Suite 120  
Southfield, MI. 48034

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: 8100 Forest Hill Boulevard  
P. O. Box 16097  
West Palm Beach, FL 33416

OWNER'S PHONE: (561) 493-6000

DESCRIPTION OF WORK: Aberdeen 12" Reclaimed Water Pipeline Boynton Beach Blvd WUD 06-183A

PROJECT LOCATION: Boynton Beach Blvd between Hagen Ranch Rd. and Jog Road

LEGAL DESCRIPTION: Continuing Construction Contract  
Project No. 06-144



**PUBLIC CONSTRUCTION BOND**

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Contract.

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto  
Palm Beach County Board of County Commissioners  
301 N. Olive Avenue  
West Palm Beach, Florida 33401

as Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of **\$ 136,282.10**

One Hundred Thirty Six Thousand Two Hundred Two and 10/100  
(Insert a sum equal to Contract Price)

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Principal has by written agreement dated 19 December, 2006, entered into a contract with the County for

Project Name: Water Utilities Department Continuing Construction Contract  
Project No. WUD 06-144  
Project Description: furnishing and installing raw water mains, potable water mains, wastewater collection, force mains, reclaimed water mains, lift station wetwells, wastewater manholes, submersible pumps and related appurtenances at the Owners discretion thru multiple Work Authorizations, to be issued on an as-needed basis for a twelve month period

Project Location: systemwide

in accordance with Drawings and Specifications prepared by

Palm Beach County Water Utilities Department  
8100 Forest Hill Boulevard  
West Palm Beach, FL 33406  
TELEPHONE: (561) 493-6000  
FAX: (561) 493-6113

which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated 19 December, 2006, between Principal and County for the design and construction of \* SEE BELOW, the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and

**\*Aberdeen 12" Reclaimed Water Pipeline Boynton Beach Blvd.**

2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and

\* Continuing Construction Contract – Project No. WUD 06-144

3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, that County sustains because of a default by Principal under the contract; and

4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

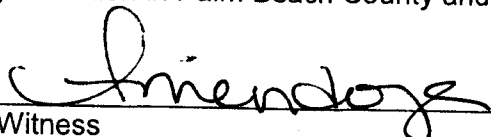
5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.

6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.

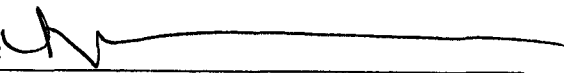
7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the contract are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverages and limitations of this instrument.

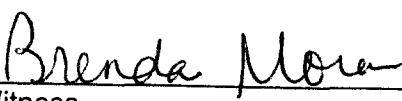
8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.

9. Any action brought under this instrument shall be brought in the state court of competent jurisdiction in Palm Beach County and not elsewhere.

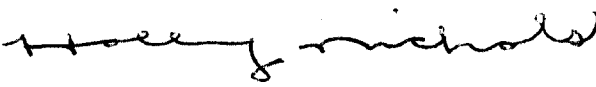
  
Witness

Foster Marine Contractors, Inc.  
Principal (Seal)

BY:   
Title Larry Brennen – Vice President

  
Witness

Fidelity & Deposit Company of Maryland  
Surety (Seal)

BY:   
Title Holly Nichols, Attorney-in-fact

**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 M. P. HAMMOND, 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 **John G. GROWNEY, Barry L. HUNT, Kathleen O'LAUGHLIN, Marla KOWALSKI, Holly NICHOLS and William C. FRENCH**, all of Troy, Michigan, ~~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 John G. GROWNEY, Barry L. HUNT, Kathleen O'LAUGHLIN, Marla KOWALSKI, Holly NICHOLS, dated May 5, 2003.

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 9th day of March, A.D. 2007.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gregory E. Murray*

*Gregory E. Murray Assistant Secretary*

*M. P. Hammond*

By:

*M. P. Hammond*

*Vice President*

State of Maryland }  
City of Baltimore } ss:

On this 9th day of March, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came M. P. HAMMOND, 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 deposeth 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.

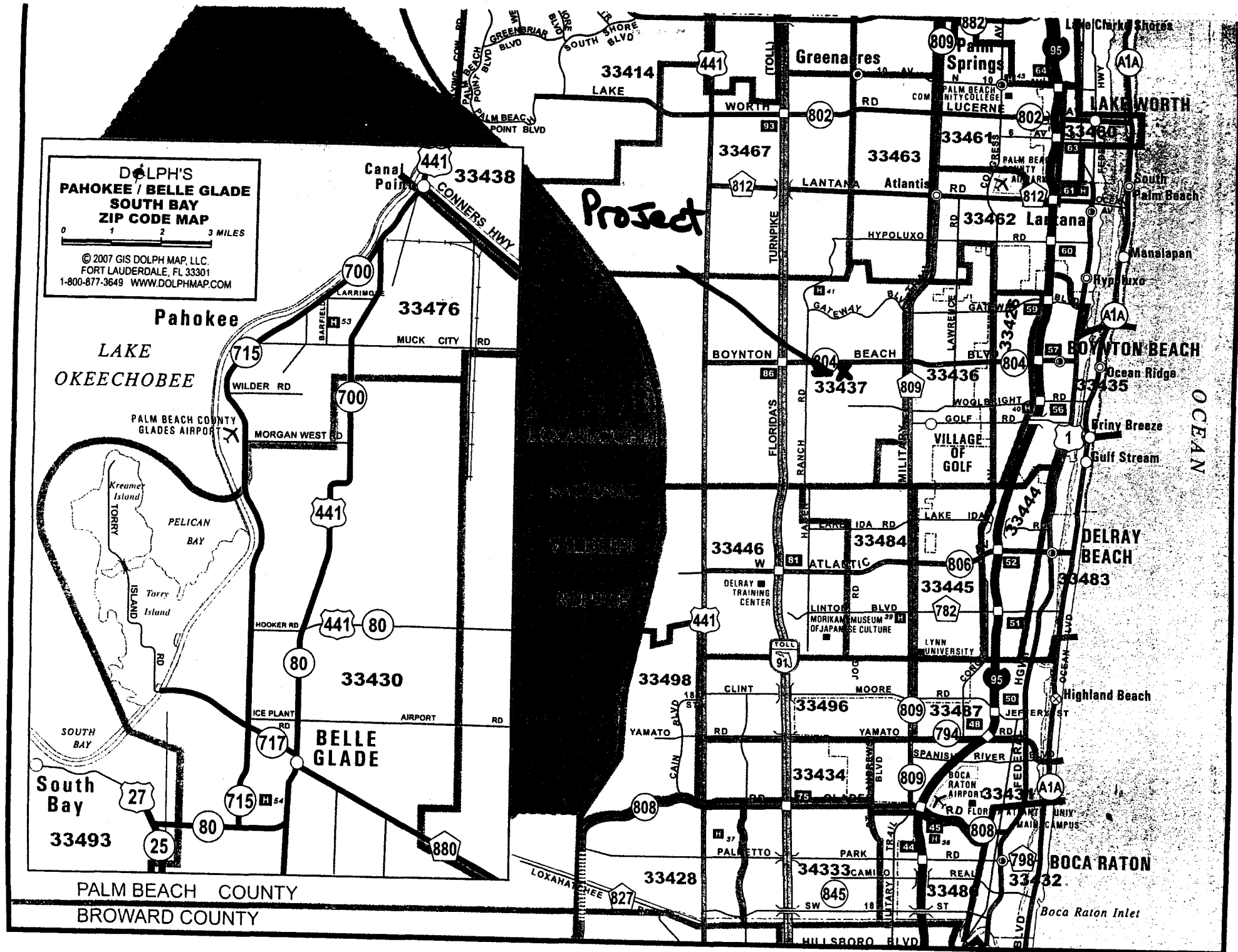


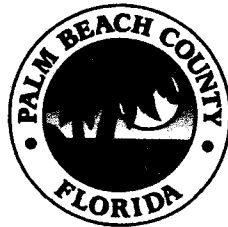
*Constance A. Dunn*

*Constance A. Dunn*

*Notary Public*

My Commission Expires: July 14, 2007





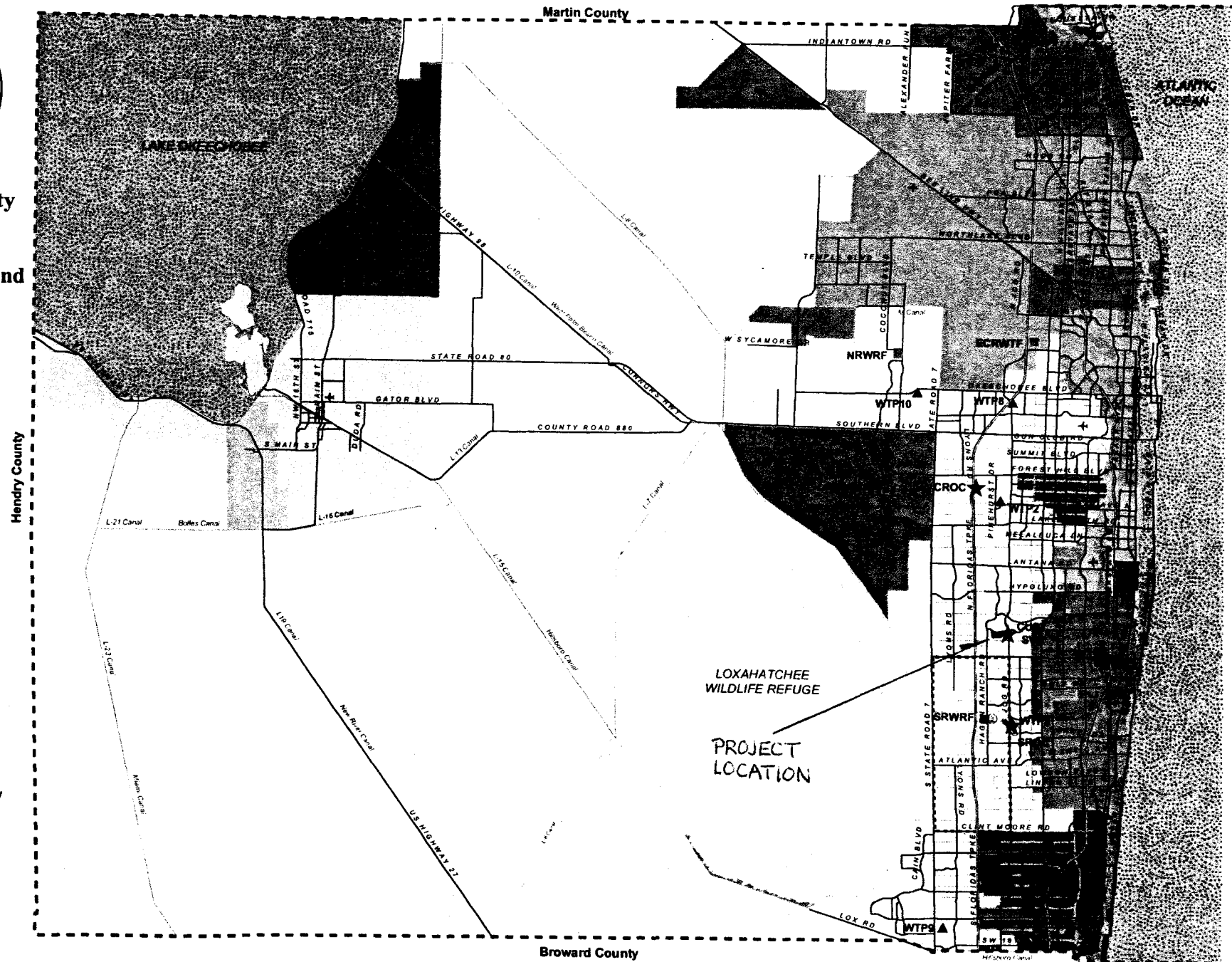
Palm Beach County  
Water Utilities  
Department  
Service Area (SA) and  
Major Facilities

Legend

- P.B.C.W.U.D. SA
- Mandatory Reclaimed SA
- - - - - Palm Beach County Limits
- ★ Administration
- Water Reclamation Facility
- ▲ Water Treatment Facility
- ⊙ Wetlands



NOT TO SCALE



WUD 06-183A

## SUMMARY AND STATUS OF REQUESTS FOR AUTHORIZATIONS

<b>TOTAL</b>	<b>\$2,587,054.99</b>
--------------	-----------------------

# EXHIBIT -C

## CONTINUING CONSTRUCTION CONTRACT SUMMARY OF SMALL BUSINESS ENTERPRISE TRACKING SYSTEM

### Work Authorization No.5

	TOTAL	BLACK	HISPANIC	OTHER	WOMAN
<b>Current Proposal</b>					
Value of Authorization No. 5	\$136,282.10				
Value of SBE Letters of Intent	\$20,919.30	\$4,306.10	\$0.00	\$0.00	\$16,613.20
Actual Percentage	15.35%	3.15%	0.00%	0.00%	12.19%
<b>Signed Authorizations</b>					
Total Value of Authorizations	\$1,833,308.94				
Total Value of SBE Signed Subcontracts	\$274,996.34	\$24,459.30	\$0.00	\$0.00	\$250,537.04
Actual Percentage	14.99%	1.33%	0.00%	0.00%	13.66%
<b>Signed Authorizations plus Current Proposal</b>					
Total Value of Authorizations	\$1,969,591.04				
Total Value of Subcontracts & Letters of Intent	\$295,915.64	\$28,765.40	\$0.00	\$0.00	\$267,150.24
Actual Percentage	15.02%	1.46%	0.00%	0.00%	13.56%

**INTEROFFICE COMMUNICATION  
PALM BEACH COUNTY**

**BUDGET AVAILABILITY STATEMENT  
CHANGE ORDERS AND CONSULTANT SERVICES AUTHORIZATION**

**DATE:** August 6, 2007

**TO:** Irwin L. Jacobowitz, Director  
Contract Development and Control

**FROM:** Guy C. Eggertsson, Fiscal Manager I  
Finance and Administration  
Water Utilities Department

*JJA* *Guy Eggertsson*

**RE:** Aberdeen 12" Reclaimed Water Main on Boynton Beach Boulevard  
Foster Marine Contractors, Inc.  
WUD Project No. 06-183A

Authorization No. 5

**FISCAL IMPACT ANALYSIS:**

Five Year Summary of Fiscal Impact:

	2007	2008	2009	2010	2011
Capital Expenditures	\$136,282.10				
Operating Costs					
Days	0				

Is item included in current budget? Yes X No     

Budget Account Number:

Fund	Department	Unit	Object	Allocation
4011	721	W006	6543	100%

**Recommended Sources of Funds/Summary of Fiscal Impact:**

One-time capital expenditure to be funded from user fees and balances brought forward