

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

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**Meeting Date:** February 5, 2008☒ **Consent**☐ **Regular**☐ **Workshop**☐ **Public Hearing****Department:** Facilities Development and Operations

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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Amendment No. 2 to the contract with Moss & Associates, LLC (R2007-0031) for Construction Management Services for site utilities/demolition at the West County Detention Facility site for a Guarantee Maximum Price (GMP) in the amount of \$4,001,795.

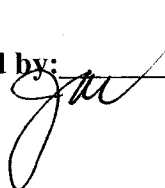
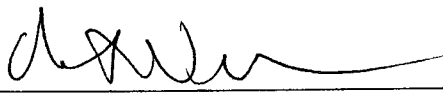
**Summary:** Amendment No. 2 will provide for the installation of water, sanitary and storm piping, the removal of existing utilities and removal of existing curbs, sidewalks and asphalt paving as needed. This work is being released prior to completion of the building design in order to maintain the required completion date for the entire project. Demucking and earth work previously authorized is ongoing and site work including vertical construction will occur concurrently with this work via subsequent amendments. The SBE goal for this project is 15%. Moss & Associates will be providing 15% SBE participation in this Amendment. The duration of this work is 231 days. Amendment No. 2 is within the budgeted estimate of the work and the funds for this work will come from the Bond Anticipation Notes previously authorized by the Board. **(Capital Improvements Division) Countywide (JM)**

**Background and Justification:** On April 25, 2006, the Board approved proceeding with Jail Expansion Program 2 consisting of the expansion of the West County Detention Facility and the Stockade and renovations to the Main Detention Facility. On November 6, 2007 the Board approved Amendment No. 1 to demuck and fill the site as required. This Amendment is the next phase of work required in the development of the West County Jail project.

**Attachments:**

1. Location Map
2. Budget Availability Statement
3. Amendment No. 2

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**Recommended by:**  
Department Director1/20/08  
Date**Approved by:**

County Administrator

1/31/08

Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$4,001,795.00	0	0	0	0
Operating Costs		0	0	0	0
External Revenues		0	0	0	0
Program Income (County)		0	0	0	0
In-Kind Match (County)					
NET FISCAL IMPACT	\$4001,795.00				

**# ADDITIONAL FTE POSITIONS (Cumulative)** \_\_\_\_\_



Is Item Included in Current Budget? Yes X No \_\_\_\_\_  
Budget Account No: Fund 3056 Dept 411 Unit B362 Object 6502 Amount \$3,621,421.00  
Reporting Category \_\_\_\_\_

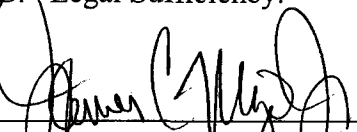
Is Item Included in Current Budget? Yes X No         
Budget Account No: Fund 3804 Dept 411 Unit B362 Object 6502 Amount \$380,374.00  
Reporting Category                     

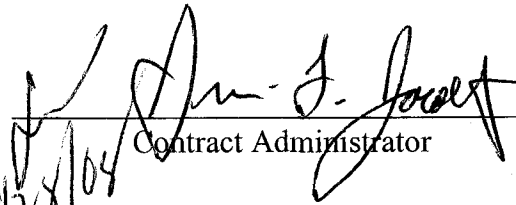
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

### III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Development and Control Comments:

 1-25-08  
 OFMB  


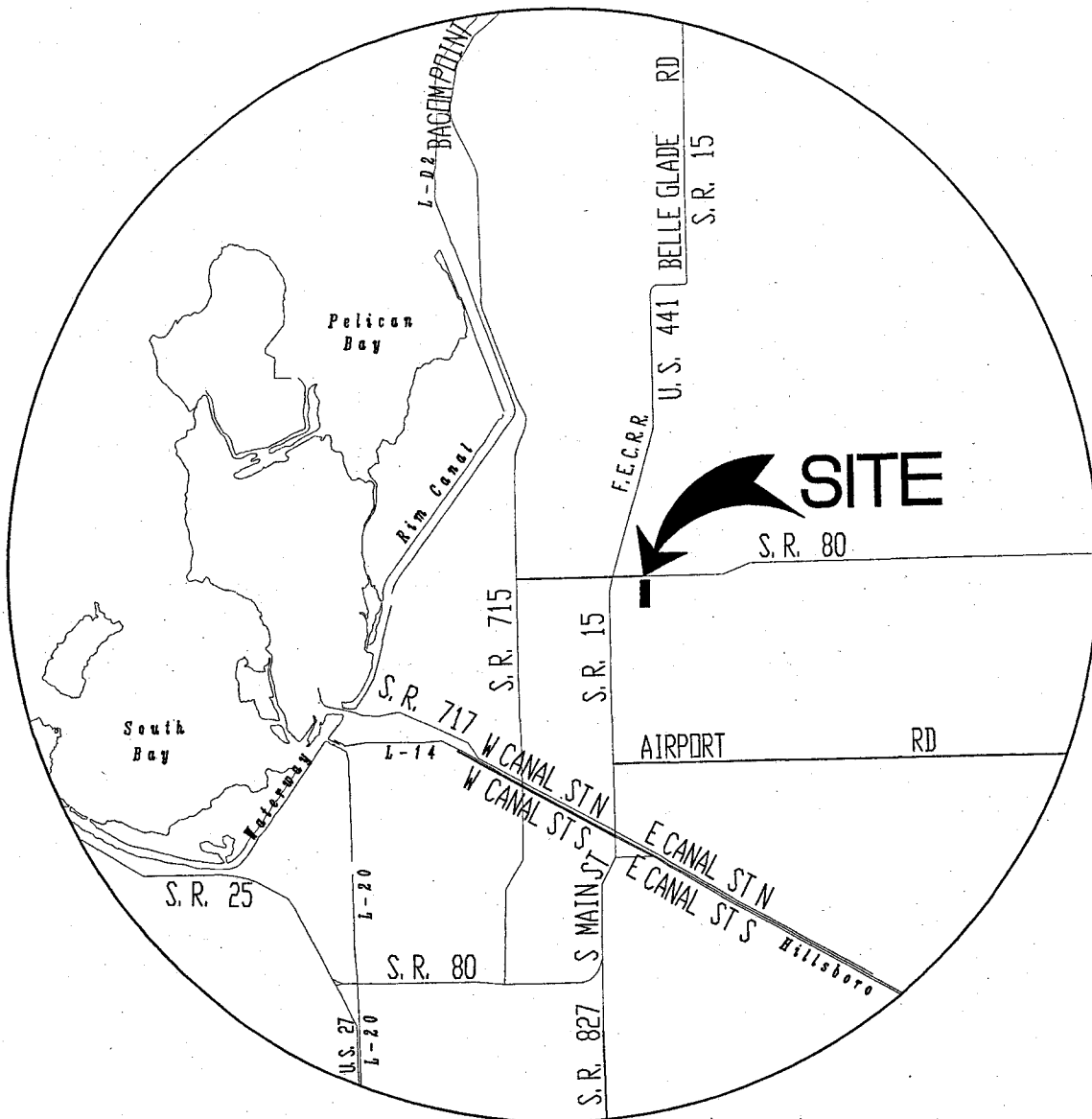
B. Legal Sufficiency:  
 1/31/08  
 Assistant County Attorney

 1/30/08  
 Contract Administrator  
 1/28/08

**This amendment complies with  
 our review requirements.**

### C. Other Department Review:

Department Director



# LOCATION MAP

N.T.S.

**FACILITIES DEVELOPMENT & OPERATIONS  
BUDGET AVAILABILITY STATEMENT**

REQUEST DATE: 01/10/08

REQUESTED BY: Mike McPherson PHONE: 233-0278  
FAX: 233-0270

PROJECT TITLE: PBC Jail Expansion Program II

PROJECT NO.: 04202

ORIGINAL CONTRACT AMOUNT:

BCC RESOLUTION#:

REQUESTED AMOUNT: \$4,001,796.00

DATE:

CSA or CHANGE ORDER NUMBER: Amendment No. 2

CONSULTANT/CONTRACTOR: Moss & Associates

**PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:**

To provide for the installation of water, sanitary and storm lines, the removal of existing utilities and removal of existing curbs, sidewalks and asphalt paving as needed. This work is being released prior to completion of the building design in order to get an early start on site utilities.

CONSTRUCTION	
PROFESSIONAL SERVICES	<u>\$4,001,795.00</u>
STAFF COSTS** (Design/Construction Phase)	
MISC. (permits, prints, advertising, etcetera)	
TOTAL	<u>\$4,001,795.00</u>

\*\* By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.

**BUDGET ACCOUNT NUMBER (IF KNOWN)**

FUND: 3056 DEPT: 411 UNIT: B362  
3804 411 B362  
FUNDING SOURCE (CHECK ALL THAT APPLY):

OBJ: 6502 3,621,421.00  
6502 2 380,374.00 AD VAL  
☐ AD VALOREM ☒ OTHER  
☐ FEDERAL/DAVIS BACON

BAS APPROVED BY: 

DATE: 1-15-08

ENCUMBRANCE NUMBER: 010208-911

Revised 03/30/04

**AMENDMENT # 2 TO CONTRACT FOR  
CONSTRUCTION MANAGEMENT SERVICES  
JAIL EXPANSION PROGRAM II  
WEST COUNTY JAIL  
PROJECT NO. 06213**

WHEREAS, the Owner and Construction Manager, Moss & Associates, LLC, acknowledge and agree that the Contract between Owner and Construction Manager is in full force and effect and that this Amendment merely supplements said Contract;

WHEREAS, the parties hereto entered into a Contract between Owner and Construction Manager whereby the Construction Manager has rendered or will render construction services as specified therein; and

WHEREAS, the parties have negotiated a Guaranteed Maximum Price, including Construction Managers fees for construction and warranty services and other issues as set forth herein and in the Contract;

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and the sums of money agreed to be paid by the Owner to the Construction Manager, the parties agree as follows:

(1) **GUARANTEED MAXIMUM PRICE**

Pursuant to Article 2.2 and Article 6 of the Contract between Owner and Construction Manager, the parties have agreed to the establishment of a Guaranteed Maximum Price of **\$4,001,795.00** to provide the construction and installation of water, sanitary and storm lines, the removal of existing utilities and removal of existing curbs, sidewalks and asphalt paving as needed for the West County Jail Expansion.

(2) **SCHEDULE OF TIME FOR COMPLETION**

Pursuant to Article 5.3, Construction Manager shall substantially complete this work within 231 calendar days of receiving the Notice to Proceed. Should the Contractor (or in the event of a default, its Surety) fail to achieve certification of Substantial Completion by the Contractual end date, the County will suffer damages, the amount of which is difficult if not impossible to ascertain, and the County shall be entitled to Liquidated Damages of **\$600.00** for each calendar day beyond the Substantial Completion date, until certification of Substantial Completion and acceptance has been given by the County.

(3) **ATTACHMENTS:** Exhibit A - GMP Proposal  
Public Construction Bond  
Form of Guarantee  
Insurance Certificate(s)

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSTRUCTION MANAGER has hereunto set its hand the day and year above written.

ATTEST:  
SHARON R. BOCK, CLERK &  
COMPTROLLER

PALM BEACH COUNTY BOARD, FLORIDA  
Political Subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Addie L. Greene, Chairperson

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
County Attorney

By: *Anthony Wolf*  
Director - FD&O

WITNESS: FOR CONSTRUCTION MANAGER  
SIGNATURE

*Marsha R. Wright*  
Signature

MARSHA R. WRIGHT  
Name (type or print)

CONSTRUCTION MANAGER:

MOSS & ASSOCIATES, LLC

*Ted Adams*  
Signature

TED ADAMS  
Name (type or print)

EXEC. VICE PRESIDENT  
Title

(Corporate Seal)

**Palm Beach County Jail Expansion - II**  
**West County Utility Package**  
 REVISED December 19, 2007

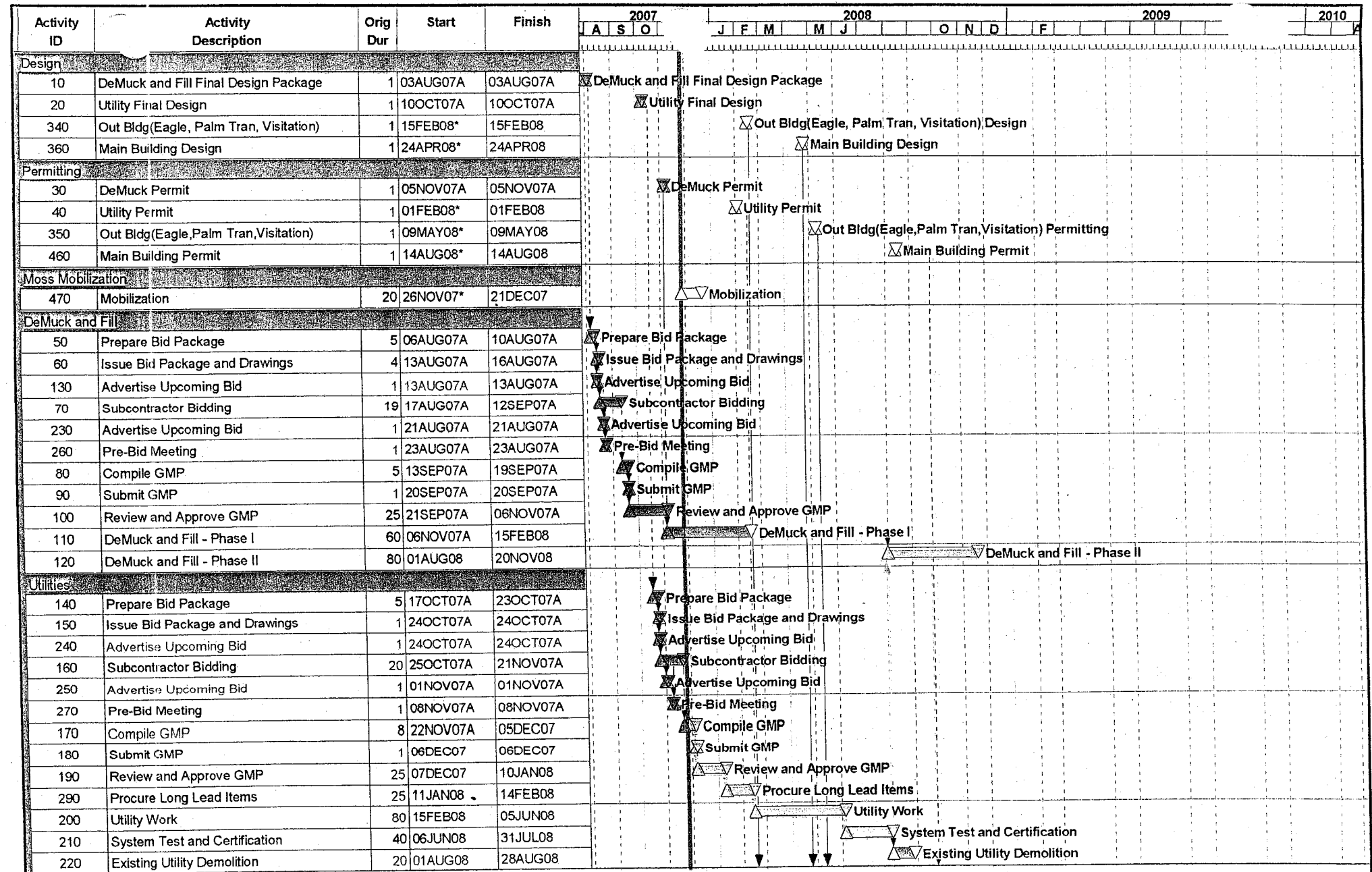
Div.	Item	Schematic Estimate	%	GMP
	Testing Lab			20,140
	Survey, Layout, and Control			30,180
	Utilities			2,662,168
	Building Demolition			94,890
	Trailer Compound Services Allowance			89,430
	Permanent Entrance			16,200
	Temp. Fence for Conservatory & Demo Allowance			20,000
	<b>Subtotal</b>			<b>2,933,008</b>
	Building Permit / Plan Checking Fee			by Owner
	Construction Phase Fee		11.87%	474,866
	Cost of Work - General Conditions		4.92%	196,848
	Subbonds / Subguard		1.25%	36,663
	Builders Risk Insurance		N/A	
	Performance Bond		0.90%	36,016
	General Liability Insurance / C.C.I.P.		1.30%	52,023
	Construction Contingency		3.41%	100,045
	<b>Subtotal</b>			<b>3,829,469</b>
	Design Contingency ( N.I.C. )			N.I.C.
	Escalation			N/A
	Construction Manager Fee		4.50%	172,326
	<b>TOTAL</b>	<b>\$ 3,624,164</b>		<b>4,001,795</b>
	<b>GMP Total</b>			<b>4,001,795</b>

Palm Beach County Jail Expansion – II  
West County Site Utility and Demolition Package  
Qualifications and Assumptions  
December 5, 2007

Item #	Description
1.	This GMP has been prepared based on the Drawings, Specifications, and other related Documents prepared by HOK/STH and are listed in the attached Document Log dated October 10, 2007.
2.	This GMP has been prepared based on the information provided in the Geotechnical Reports prepared by Tierra dated April 23, 2007 and May 22, 2007 with regard to quantifying the muck that must be removed and replaced. The established quantity of muck to be removed and replaced is 10,000 cy. Actual quantity of muck removed will be tracked and if the total quantity is above 10,000 cy the price will be adjusted at an additive rate of \$3.65 / cy and if the total quantity is below 10,000 cy the price will be adjusted at a deductive rate of \$3.65 / cy. These rates are the subcontractor rates and do not include Moss insurance, bonds, O.H. and Profit, Etc. which will be added if a quantity adjustment is made.
3.	Construction Phase Fee and Cost of Work General Conditions Cost have been included for Site Utility and Demolition activities (March 2008 to June 2008). Costs for the Out Buildings, and Main Building will be included in the respective GMP proposals for that work.
4.	Cost of the premiums for the Construction Manager's bond shall be at a fixed rate of .90% of the GMP Amount.
5.	Costs for the Construction Manager's casualty insurance/C.C.I.P. shall be at a fixed rate of 1.3% of the GMP Amount.
6.	The cost of the Subguard Program shall be at a fixed rate of 1.25% of the total of all subcontracts and purchase orders.
7.	Builder's Risk Insurance has not been included in this GMP. It is understood that Palm Beach County will either provide Builder's Risk Insurance or cover any losses that occur during this work that would typically be covered by Builder's Risk Insurance.
8.	The Drawings do not depict what is required at the existing lift station. Upgrades to this existing lift station are not included in this GMP.
9.	The existing portables are to be removed and staged on site. The County shall remove and relocate the portables from the staging area.
10.	Demolition of the Eagle Academy Challenge and Obstacle courses are included in this GMP as requested by Palm Beach County.
11.	Moss has included the price for the temporary FDOT access permit. Through discussions with the Team all other permits necessary to perform this work will be obtained by Palm Beach County and the Civil Engineer. Moss has not included pricing for Water Meter and Connection Fee's.



12.	The county must provide Moss with environmental surveys of all items to be demolished including existing utilities and buildings. Testing, handling, removal, transport, or disposal of Hazardous Materials discovered on site have not been included in the GMP. Any Hazardous Material discovered on site shall be considered a concealed condition. In the event these conditions are discovered Moss will cooperate with Palm Beach County and Palm Beach County's separate Abatement Contractor in the identification, abatement, removal, and transportation of the material.
13.	The scope of this work includes demolition of the existing irrigation pump. Irrigation piping will not be removed unless it conflicts with work of this scope. The system will not be usable after this work is completed.
14.	Gas piping for the facility is not included in this GMP.
15.	Palm Tran is not included in this GMP.
16.	There have been elevation changes made to building pads and parking lots in the utility drawings that affect the work included in the demuck GMP. This reconciliation is being performed outside this GMP.
17.	The county needs to arrange with the conservancy district to allow for encroachment on to their property for fence removal, new utility setback, road construction, and temporary security measures.
18.	The county needs to resolve the conservancy districts concern about the accuracy of the Survey being used by the design team for the construction documents.
19.	We have included two months for final utility system certification. This certification must be completed before existing utility demolition can begin, which allows the start of the main building construction. This duration is an estimate based on information from the Civil Engineer and the agencies involved in the process.
20.	It is our understanding per communications between the Civil Engineer and the Local Agencies that the utility systems can be certified and made operational without base rock and asphalt installed.
21.	It is understood that FPL is responsible for all demolition and removal of the existing overhead and underground power, Moss has not included any work associated with this demolition and removal.
22.	It is our understanding that the portable sheds located adjacent to the maintenance building will be removed by the maintenance staff prior to the start of this work.



Start Date 27JUL07  
Finish Date 17DEC09  
Data Date 26NOV07  
Run Date 28NOV07 07:40

Activity Bar  
Progress Bar  
Critical Activity

PBS7

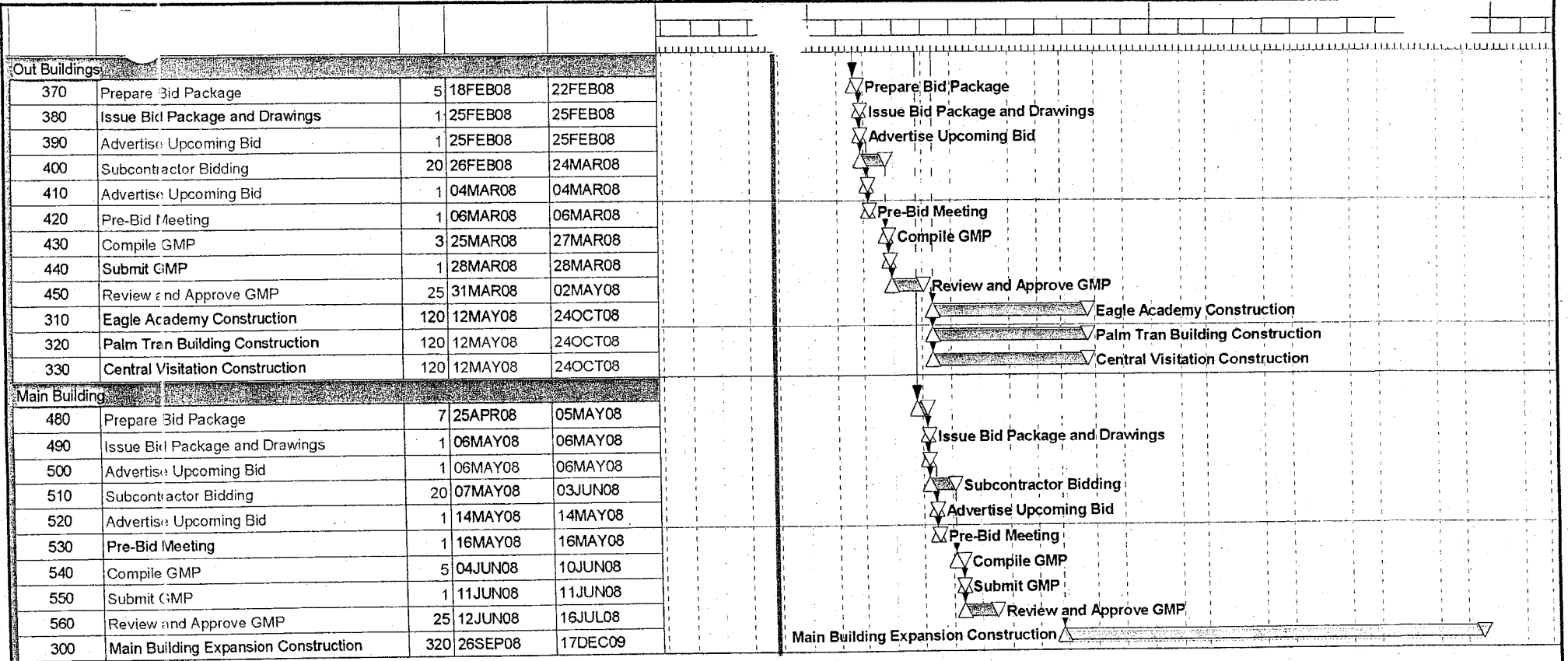
Moss and Associates

West County Overview Schedule

December 5, 2007

Sheet 1 of 2

Date	Revision	Checked	Approved



Palm Beach County Jail Expansion Project  
West County Detention Center  
Document Log October 10, 2007  
Site Utilities and Demolition Set

**MOSS**

Drawing #		Description	Date	Moss Stamped Rcvd
Civil Cover Sheet		Civil Cover Sheet (Civil Engineering Plans)	10/5/2007	10/10/2007
C001		Notes	10/5/2007	10/10/2007
C002		Notes	10/5/2007	10/10/2007
C100		Master Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C101		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C102		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C103		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C104		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C105		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C106		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C107		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C108		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C109		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C110		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C111		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C112		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C113		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C114		Site Demolition and Erosion Control Plan	10/5/2007	10/10/2007
C201		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C202		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C203		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C204		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C205		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C206		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C207		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C208		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C209		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C210		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C211		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C212		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C213		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C214		Geometrics, Signing, and Striping Plan	10/5/2007	10/10/2007
C215		Signing and Striping Details	10/5/2007	10/10/2007
C300		Master Drainage Plan	10/5/2007	10/10/2007
C301		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C302		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C303		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C304		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C305		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C306		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C307		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C308		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C309		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C310		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C311		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C312		Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007

C313	Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C314	Paving, Grading, and Drainage Plan	10/5/2007	10/10/2007
C401	Paving, Grading, and Drainage Details and Notes	10/5/2007	10/10/2007
C402	Cross Sections	10/5/2007	10/10/2007
C500	Master Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C501	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C502	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C503	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C504	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C505	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C506	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C507	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C508	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C509	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C510	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C511	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C512	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C513	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C514	Potable Water and Sanitary Sewer Plan	10/5/2007	10/10/2007
C515	Potable Water and Sanitary Sewer Enlarged Plan	10/5/2007	10/10/2007
C601	Sanitary Sewer Profiles	10/5/2007	10/10/2007
C602	Sanitary Sewer Profiles	10/5/2007	10/10/2007
C701	Potable Water Standard Details	10/5/2007	10/10/2007
C702	Potable Water Standard Details	10/5/2007	10/10/2007
C703	Water and Wastewater Standard Details	10/5/2007	10/10/2007
C704	Wastewater Standard Details	10/5/2007	10/10/2007
C705	Wastewater Standard Details	10/5/2007	10/10/2007
C706	Lift Station Electrical Standard Details	10/5/2007	10/10/2007
C707	Lift Station Mechanical Standard Details	10/5/2007	10/10/2007
C708	Lift Station RTU Standard Details	10/5/2007	10/10/2007
C709	Muffin Monster Standard Details	10/5/2007	10/10/2007

Palm Beach County Jail Expansion Project  
West County Detention Center  
Document Log Sept. 20th, 2007



Drawing #	Description	Date	Stamped Rcvd
Cover Sheet	Cover Sheet with Index of Drawings	8/2/2007	
TS1	Topographic Survey Cover Sheet	Feb-07	
TS2	Sketch of Topographic Survey Sheet 2 of 22 Key Sheet	Feb-07	
TS3	Sketch of Topographic Survey Sheet 3 of 22	Feb-07	
TS4	Sketch of Topographic Survey Sheet 4 of 22	Feb-07	
TS5	Sketch of Topographic Survey Sheet 5 of 22	Feb-07	
TS6	Sketch of Topographic Survey Sheet 6 of 22	Feb-07	
TS7	Sketch of Topographic Survey Sheet 7 of 22	Feb-07	
TS8	Sketch of Topographic Survey Sheet 8 of 22	Feb-07	
TS9	Sketch of Topographic Survey Sheet 9 of 22	Feb-07	
TS10	Sketch of Topographic Survey Sheet 10 of 22	Feb-07	
TS11	Sketch of Topographic Survey Sheet 11 of 22	Feb-07	
TS12	Sketch of Topographic Survey Sheet 12 of 22	Feb-07	
TS13	Sketch of Topographic Survey Sheet 13 of 22	Feb-07	
TS14	Sketch of Topographic Survey Sheet 14 of 22	Feb-07	
TS15	Sketch of Topographic Survey Sheet 15 of 22 Boring Sheet	Feb-07	
TS16	Sketch of Topographic Survey Sheet 16 of 22	Feb-07	
TS17	Sketch of Topographic Survey Sheet 17 of 22	Feb-07	
TS18	Sketch of Topographic Survey Sheet 18 of 22	Feb-07	
TS19	Sketch of Topographic Survey Sheet 19 of 22	Feb-07	
TS20	Sketch of Topographic Survey Sheet 20 of 22	Feb-07	
TS21	Sketch of Topographic Survey Sheet 21 of 22	Feb-07	
TS22	Sketch of Topographic Survey Sheet 22 of 22	Feb-07	
BS1	Sketch of Boundary Survey Sheet 1 of 2	Jan-07	
BS2	Sketch of Boundary Survey Sheet 2 of 2	Jan-07	
CD000	Site Preparation & Demucking Plans Cover Sheet	5/31/2007	
CD101	Demolition & Erosion Control Plan	5/31/2007	
CD201	Demucking Plan	5/31/2007	
CD202	Demucking Plan	5/31/2007	
CD203	Demucking Plan	5/31/2007	
CD204	Demucking Plan	5/31/2007	
CD205	Demucking Plan	5/31/2007	
CD206	Demucking Plan	5/31/2007	
CD301	Details & Notes	5/31/2007	
CD302	Cross Sections	5/31/2007	
Specifications	Demucking Package- Water Use Permit, South Florida Water Management Staff Report, Confirmation Geotechnical Engineering Study, Preliminary Geotechnical Engineering Study	8/2/2007	

SURETY BOND  
INCREASE RIDER

Duplicate Original

Bond No.: 105 017 193

Principal: Moss & Associates, LLC

Obligee: Palm Beach County

Amount: \$ 10,990,137.00

Hereby increased to: \$ 14,991,932.00

As of the 14<sup>th</sup> day of January, 2008, the amount of the above described bond is increased from the sum of \$ 10,990,137.00 to the sum of \$ 14,991,932.00, but the liability of the Surety for any acts or defaults occurring before the effective date hereof shall in no event exceed the sum first named, and the aggregate liability for any and all acts and defaults, whenever committed, shall in no event exceed the sum last named, it being the intent hereof to preclude cumulative liability. This certificate, when signed by the Principal, shall become a part of the said bond.

Signed, sealed and dated this 14th day of January, 2008

Travelers Casualty and Surety Company of America

By 

Charles J. Nielson, Attorney-in-Fact



POWER OF ATTORNEY

Farmington Casualty Company  
Fidelity and Guaranty Insurance Company  
Fidelity and Guaranty Insurance Underwriters, Inc.  
Seaboard Surety Company  
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company  
St. Paul Mercury Insurance Company  
Travelers Casualty and Surety Company  
Travelers Casualty and Surety Company of America  
United States Fidelity and Guaranty Company

Attorney-In Fact No. 219156

Certificate No. 002124897

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Charles D. Nielson, Charles J. Nielson, Mary C. Aceves, Warren M. Alter, David R. Hoover, and Gicelle Pajon

of the City of Miami Lakes, State of Florida, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 2nd day of January, 2008.

Farmington Casualty Company  
Fidelity and Guaranty Insurance Company  
Fidelity and Guaranty Insurance Underwriters, Inc.  
Seaboard Surety Company  
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company  
St. Paul Mercury Insurance Company  
Travelers Casualty and Surety Company  
Travelers Casualty and Surety Company of America  
United States Fidelity and Guaranty Company



State of Connecticut  
City of Hartford ss.

By: George W. Thompson  
George W. Thompson, Senior Vice President

On this the 2nd day of January, 2008, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.  
My Commission expires the 30th day of June, 2011.



Marie C. Tetreault  
Marie C. Tetreault, Notary Public



LIST OF PROPOSED SBE/MWBE SUBCONTRACTORS

PROJECT NAME: Criminal Justice Facilities PROJECT NO. 08213  
 NAME OF PRIME BIDDER: Moss & Associates, LLC  
 CONTACT PERSON: Ted Adams PHONE NO: 352 291-2940 FAX NO: 352 291-2945  
 BID OPENING DATE: N/A DEPARTMENT: FD&O

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS

Name, Address and Phone Number	(Check one or both Categories)		Subcontract Amount					
	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)	
1. <u>L+L WORLDWIDE, INC.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>900,000</u>	\$ <u>          </u>	\$ <u>          </u>	
2. <u>BROWN &amp; PHILLIPS</u> <u>901 NORTH BAYWAY STE 305</u> <u>WEST PALM BEACH, FL 33407</u> <u>561-615-2142</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ <u>30,180</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>	
3. <u>WESTSIDE PETROGRAPHICS</u> <u>6470 GARDEN ROAD</u> <u>RIVIERA BEACH, FL 33404</u> <u>561-842-6404</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>15,000</u>	\$ <u>          </u>	\$ <u>          </u>	
4. <u>DUMPSTERS</u> <u>Company T.B.D.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>12,500</u>	
5. <u>HOLDING TANKS &amp; TEMPL</u> <u>TOILETS</u> <u>Company T.B.D.</u>	<input type="checkbox"/>	<input type="checkbox"/>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>15,000</u>	
(Please use additional sheets if necessary)			Total	\$ <u>30,180</u>	\$ <u>          </u>	\$ <u>715,000</u>	\$ <u>          </u>	\$ <u>27,500</u>

Total Bid Price \$ 4,001,795.00

Total Value of SBE Participation \$ 992,680

- Note:
- The amounts listed on this form must be supported by the Subcontractors prices included on Schedule 2 in order to be counted toward goal attainment.
  - Firms may be certified by Palm Beach County as an SBE and/or MWBE. If firms are certified as both an SBE and MWBE, please indicate the dollar amount under the appropriate category.
  - MWBE information is being collected for tracking purposes only.

JAN-09-2008(WED) 15:14

SHELTRA &amp; SON CONSTRUCTION

(FAX) 772 597 4213

P. 002/002

## SCHEDULE 2

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

PROJECT NO. \_\_\_\_\_ PROJECT NAME: PISC TAIL EXPANSION PROJECT  
WEST COUNTY DETENTION CENTER  
 TO: SHELTRA & SON CONSTRUCTION CO. 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: 03/10/05 - 03/10/08

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
<u>1</u>	<u>SUPPLY AND DELIVER PIPE</u>	<u>1 / LS</u>	<u>\$ 900,000.00</u>	<u>\$ 900,000.00</u>
	<u>AND MISC. MATERIALS</u>			

at the following price \$ 900,000.00

(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 -

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 Steh / Pres  
 (Signature)

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

Date: 01/09/08

**SCHEDULE # 2**

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

PROJECT NO. OR BID NO.: \_\_\_\_\_ PROJECT NAME OR BID NAME: W. County Detention  
 TO: Moss & Associates  
(Name of Prime Bidder)

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

Small Business Enterprise X Minority Business Enterprise X  
 Black X Hispanic \_\_\_\_\_ Women \_\_\_\_\_ Caucasian \_\_\_\_\_ Other (Please Specify) \_\_\_\_\_

Date of Palm Beach County Certification: January 5, 2007

The undersigned is prepared to perform the following described work in connection with the above project

Additional Sheets May Be Used As Necessary.

Line Item/ Lot No.	Item Description	Qty/Units	Unit Price	Total Price
	Horizontal Control			\$760.00
	Vertical Control			\$700.00
	Storm Layout			\$5220.00
	Waterline Layout			\$5800.00
	Sanitary Layout			\$3200.00
	Asbuilts			\$14500.00

at the following price/percent \$ 30,180.00

(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: \$ \_\_\_\_\_

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

Brown Phillips, LLC.

(Print name of SBE-M/WBE Subcontractor)

By [Signature]  
(Signature)

John E. Phillips III, President

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

Date: 12/5/07

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

TO: \_\_\_\_\_  
(Name of Prime Bidder)

Small Business Enterprise ☒ Minority Business Enterprise ☒

Date of Palm Beach County Certification: Palm Beach

Additional Sheets May Be Used As Necessary

at the following price/percent \$ \_\_\_\_\_ (Subcontractor's quote)

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

Westside Reprograph

By: Wally Lou  
(Signature)

Date: 12-5-07

**ACORD****CERTIFICATE OF INSURANCE**

12/18/2007

**PRODUCER**

Aon Risk Services, Inc.  
1001 Brickell Bay Drive, Ste.  
Miami, FL 33131  
(305) 961-6028  
Ms. Tonya Gallegos

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

**COMPANIES AFFORDING COVERAGE**

## COMPANY

A

AIG Excess Liability Insurance Company, Ltd.

## COMPANY

B

Liberty Insurance Corporation

## COMPANY

C

Liberty Mutual Fire Insurance Company

## COMPANY

D

National Union Fire Insurance Company of Pittsburgh PA

## COMPANY

E

Westchester Fire Insurance Company

**INSURED**

Moss & Associates, LLC  
2101 N Andrews Ave., Suite 300  
Fort Lauderdale, FL 33311

**COVERAGES**

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

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
C	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNERS & CONTRACTORS PROTECTIVE	TB2-651-288338-027	10/24/2007	03/11/2011	Per Claim/Occ \$ 2,000,000 General Agg \$ 4,000,000 Prod & Comp Opp Agg \$ 8,000,000 Personal & Adv. Injury \$ 2,000,000 Fire Damage \$ 100,000 Medical Expense \$ 10,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				
D	<b>EXCESS LIABILITY</b> <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	BE 7227880	10/24/2007	03/12/2011	Per Claim/Occ \$ 25,000,000 Aggregate \$ 25,000,000
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> THE PROPRIETOR / PARTNER/EXECUTIVE OFFICERS ARE: <input checked="" type="checkbox"/> INCL <input type="checkbox"/> EXCL	WA7-65D-288338-017	10/24/2007	03/11/2010	<b>STATUTORY</b> EL Each Accident \$ 1,000,000 EL Disease Policy Limit \$ 1,000,000 EL Disease Each Accident \$ 1,000,000
E	Excess & Umbrella	G22054533001	10/24/2007	03/12/2011	Per Claim/Occ \$ 25,000,000 Aggregate \$ 25,000,000
A	Excess & Umbrella	949-6333	10/24/2007	03/12/2011	Per Claim/Occ \$ 100,000,000 Aggregate \$ 100,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS**

Coverage is limited to work performed at the Moss & Associates, LLC, Palm Beach Jail Exp. Phase 1 - 600808, for work performed under contract 600808. The General and Umbrella limits and aggregates are shared by all enrolled contractors on this project.

**CERTIFICATE HOLDER**

Moss & Associates, LLC  
2101 N Andrews Ave., Suite 300  
Fort Lauderdale, FL 33311

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE Aon Risk Services of Florida, Inc.