

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: November 17, 2009

Consent [ ] Regular [ ]  
Public Hearing [X]

Submitted By: Water Utilities Department  
Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and title:** Staff recommends motion to: **A) adopt** a Resolution confirming the special assessment process for the Evergreen Drive Water Main Extension; and **B) approve** a Work Authorization No. 1 to Sheltra & Son Construction Co., Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2009-0944) in the amount of \$32,698.25

**Summary:** Petitions in favor of the installation of a potable water main have been provided by 100% of the westerly three (3) affected property owners on Evergreen Drive located in The Town of Lake Clarke Shores. The project will serve three (3) residential properties currently on private wells. Individual assessments of \$90.35 per front foot are based on 100% of the assessable cost and may be paid over twenty-years (20) with equal annual payments of principal and 6½% interest. The total project cost is \$35,372.03 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency. The project will be constructed utilizing a Work Authorization under the WUD Continuing Construction Contract with Sheltra & Son Construction Co., Inc. (R2009-0944). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with Sheltra & Son Construction Co., Inc. provides for SBE participation of 15.62%. This Authorization includes 15.96% overall participation. The cumulative SBE participation is 15.96% overall. (WUD Project No. 06-011) District 3 (MJ)

**Background and Justification:** On August 24, 2007, signed petitions were received from a majority of the property owners on Evergreen Drive. However, two (2) aligned parcels on the privately owned road were opposed and therefore reduced the scope of the project to the first three (3) assessable entry parcels on Evergreen Drive. The original estimated assessable cost of a twenty-year (20) special assessment was \$98.03 per front foot for the construction of water mains and service lines. The original signed petition forms are on file and available for public inspection at the Engineering Office of WUD.

On April 8, 2009, Sheltra & Son Construction Co., Inc. submitted the lowest responsive construction bid for the WUD Continuing Construction Contract (R2000-0944). The construction cost for the Evergreen Drive Water Main Extension is currently \$32,698.25. The total project cost is \$35,372.03, and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The assessable cost of the project is \$35,372.03, which is the total less capital costs of \$6,300 for additional pipeline extension and a \$1.63 adjustment. The assessments are based on 100% of the total assessable cost and 391.5 linear feet of the total assessable front footage resulting in an assessment rate of \$90.35 per front foot.

On Sunday November 1, 2009 a Notice of Special Assessment was published in The Palm Beach Post. All property owners subject to assessment have been sent notification by regular mail pursuant to Ordinance 2001-0010. A final informational meeting was held with the property owners prior to the Public Hearing to explain the proposed improvements and the cost of the project.

**Attachments:**

1. Resolution Confirming the Special Assessment Process
2. Location Map
3. Special Assessment Roll - Tentative
4. Report of Cost – Tentative
5. Evergreen Drive Construction Cost
6. Two (2) Original Work Authorization No. 1
7. Lake Clarke Shores Ordinance 317

Recommended By: Burt A. Beaudin 10/21/09  
Department Director Date

Approved By: Shannon G. B. 11/11/09  
Assistant County Administrator Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	\$35,372	0	0	0	0
External Revenues	<35,372>	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match County	0	0	0	0	0
NET FISCAL IMPACT	0	0	0	0	0
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0

Budget Account No.: Fund 4013 Dept 721 Unit W021 Object 6543

Is Item Included in Current Budget? Yes X No

Reporting Category N/A

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

Adequate funds are available in the Water Utilities Department Special Assessment Fund. Assessable costs will be recovered from the property owners over a twenty-year period.

The non-assessable construction cost will be funded from Water Utilities Department user fees.

C. Department Fiscal Review: Debra M West

## III. REVIEW COMMENTS

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

[Signature] 11/3/09  
10/26/09 OFMB CN 10/24/09

[Signature] 11/5/09  
Contract Development and Control

### B. Legal Sufficiency:

[Signature] 11/9/09  
Assistant County Attorney

**This item complies with current  
County policies.**

### C. Other Department Review

\_\_\_\_\_  
Department Director

**RESOLUTION NO. R-2009-**

**RESOLUTION OF THE BOARD  
OF COUNTY COMMISSIONERS  
OF PALM BEACH COUNTY,  
FLORIDA, CONFIRMING THE  
SPECIAL ASSESSMENT ROLL  
FOR THE EVERGREEN DRIVE  
WATER MAIN IMPROVEMENT  
PROJECT**

**WHEREAS**, pursuant to Section 8 of Ordinance 2001-0010, the Board of County Commissioners held a public hearing at 9:30 A.M. on the 17th day of November, 2009, at the Commission Chambers of the Board of County Commissioners of Palm Beach County, Florida, so as to satisfy the requirements of Ordinance 2001-0010; and

**WHEREAS**, the Board of County Commissioners finds that the public notification and public hearing requirements of Ordinance 2001-0010 have been complied with; and

**WHEREAS**, the Board of County Commissioners intends to levy special assessment(s) upon certain properties located on Evergreen Drive for the purpose of funding a water main extension; and

**WHEREAS**, the total assessable costs of the improvement project shall not exceed \$35,372.03; and

**WHEREAS**, the method of apportioning the assessable costs of the improvement project among the parcels of property located within the boundaries of the improvement project shall be by the frontage method; and

**WHEREAS**, the maximum dollar amount of each assessment unit shall be \$90.35 per lineal foot based on 391.5 total feet; and

**WHEREAS**, the Board of County Commissioners finds that each parcel listed in the Special Assessment Roll, which is attached hereto and incorporated herein as Attachment "3", will obtain a special benefit, that is at least equal to the amount of special assessment made against each such parcel; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,  
THAT:**

1. The Special Assessment Roll for the Evergreen Drive Water Main Improvement Project (WUD 06-011) is hereby approved and confirmed, and the special assessments set forth therein shall be collected in accordance with the provisions of the Uniform Assessment Collection Act and Ordinance 2001-0010.
2. The special assessment(s) set forth in the Special Assessment Roll shall constitute a lien(s) against the assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien(s) shall be superior in dignity to all other liens, titles and claims, until paid.
3. Any and all special assessments made pursuant to this Resolution, which have not been paid in full within thirty (30) days after completion of the improvement project for which the assessments were made, shall be subject to interest at the rate of six and one half percent (6 ½ %) per year and shall be payable in twenty (20) equal installments of principal and interest.

4. If any special assessment made under this Resolution shall be either in whole or in part vacated or set aside by the judgment of any court, or if the Board of County Commissioners shall be satisfied that any such assessment is so irregular or defective that same cannot be enforced or collected, or if the Board shall have omitted to make such assessment when it might have done so, the Board of County Commissioners shall take all necessary steps to cause a new assessment to be made for any improvement and against any property specially benefited by such improvement, following the provisions of Ordinance 2001-0010. In case the second assessment shall also be invalid, the Board of County Commissioners may obtain and make other assessments until a valid assessment is made.

5. The Clerk of this Board shall cause this Resolution to be recorded in the Official Records of Palm Beach County, Florida, in the Office of the Clerk of the Circuit Court.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote; the vote was as follows:

Commissioner John F. Koons, Chairman  
Commissioner Burt Aaronson, Vice Chair  
Commissioner Karen T. Marcus  
Commissioner Shelly Vana  
Commissioner Steven L. Abrams  
Commissioner Jess R. Santamaria  
Commissioner Priscilla A. Taylor

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2009.

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

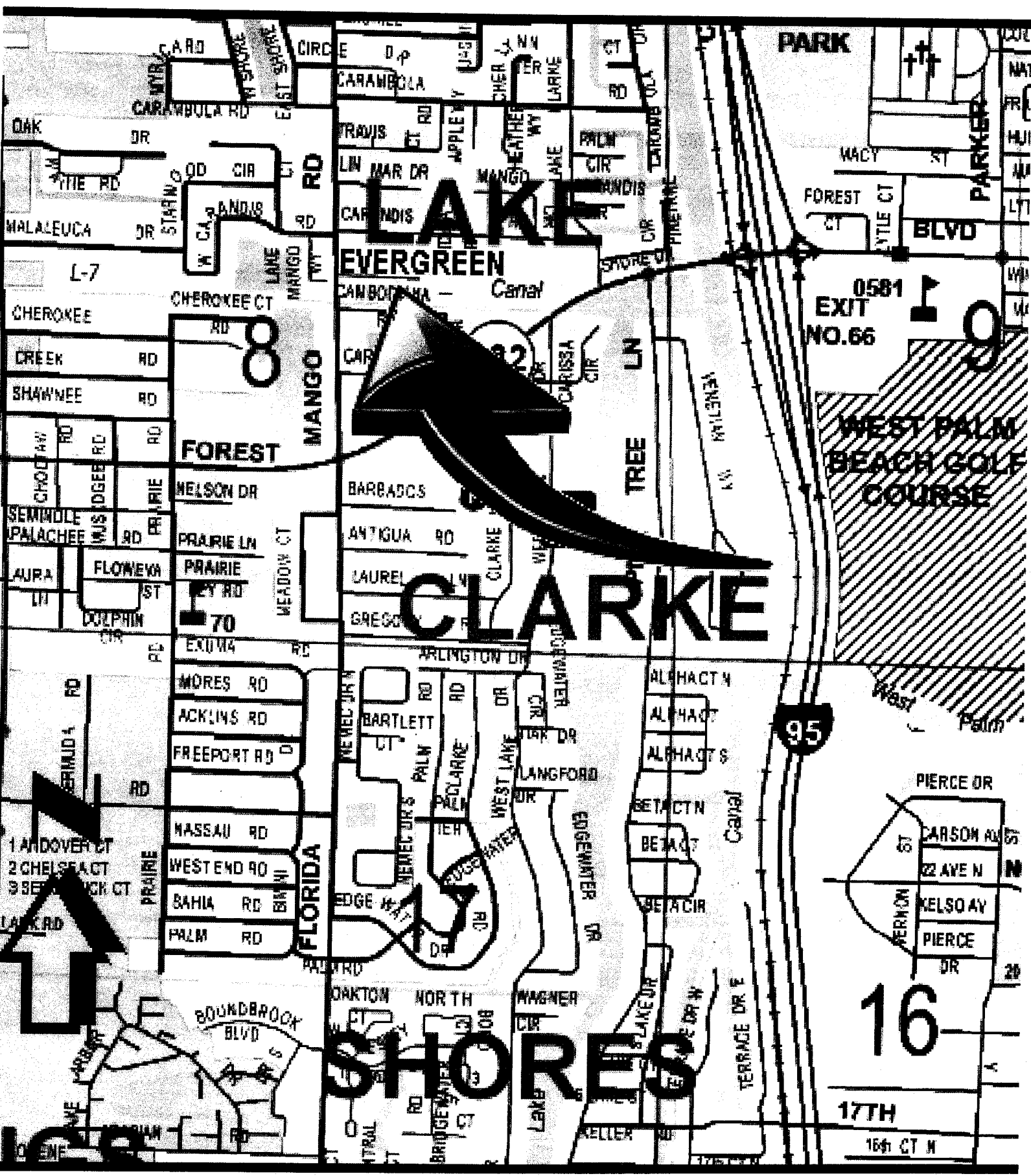
By: \_\_\_\_\_  
Sharon R. Bock, Clerk and Comptroller

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By \_\_\_\_\_

WATER MAIN EXTENSION

SPECIAL ASSESSMENT PROJECT WUD 06-011





## Assessment Roll - Tentative

EVERGREEN DRIVE  
SPECIAL ASSESSMENT PROGRAM  
WATER MAIN EXTENSION PROJECT

Project#: 06-011

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	3 WARREN H. NEWELL	

No.	Homeowner	PCN/Legal Description	Feet	Cost/Per Foot	Total Assessment	Annual Cost/Per Foot	Annual Cost/Per Year	Notes
1	RAFAEL F. DIAZ & MIRTA SIGNO-DIAZ (H/W)	34-43-44-08-06-005-004.4	116.50	\$90.35	\$10,525.78	8.1998403	\$955.28	
	1846 EVERGREEN DR WEST PALM BEACH, FL 33406-5231	AMENDED PL OF SHEET 2 ADD 1 FLA MANGO GROVELETS E 116.5 FT OF W 233 FT OF LT 4 BLK 5				Initial	Final Y	Petition
2	CHARLES REMY	34-43-44-08-06-005-004.5	100.00	\$90.35	\$9,035.00	8.1998403	\$819.98	
	1844 EVERGREEN DR WEST PALM BEACH, FL 33406-5231	AMENDED PL OF SHEET 2 ADD NO 1FLA MANGO GROVELETS W 100 FT OF E 400 FT OF LT 4 BLK 5				Initial	Final Y	Petition
3	WILLIAM H. JR. & LINDA K. MURPHY	34-43-44-08-06-005-005.4	175.00	\$90.35	\$15,811.25	8.1998403	\$1,434.97	
	1841 EVERGREEN DR WEST PALM BEACH, FL 33406-5231	AMENDED PL OF SHEET 2 ADD 1 FLA MANGO GROVELETS E 175 FT OF W 333 FT OF LT 5 BLK 5				Initial	Final Y	Petition

Total: 391.50

Total: \$35,372.03

Note Description/Totals		
1	MODIFIED ASSIGNED FRONTAGE	0
2	CONFIDENTIAL RECORD	0
3	UNITY OF TITLE	0
4	TAX MAP FRONTAGE	0
5	SCALED FRONTAGE	0
6	SURVEY	0
7	PAPA FRONTAGE	0
8	VERIFY LEGAL, OWNER CONTESTING TAXES	0

Petition Response Summary							
		Initial		Final			
Homeowners	3	Voted Yes	0	0%	3	100%	
Properties	3	Voted No	0	0%	0	0%	
Needed	2	No Response	3	100%	0	0%	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of six and a half (6.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.

**REPORT OF COST - TENTATIVE  
EVERGREEN DRIVE  
WATER MAIN IMPROVEMENT  
SPECIAL ASSESSMENT PROJECT  
PROJECT NO. WUD 06-011  
COMMISSION DISTRICT 3  
SECTION 8, TOWNSHIP 44S, RANGE 43E  
FUND 4013 DEPT. 721 ORG. W021 OBJECT 6543**

Construction Bid Price	\$32,698.25
Assessable Construction Cost	\$26,398.25
Construction Contingency (10%) (1)	\$2,639.83
Engineering Fee (2)	\$3,959.74
Inspection Fee (4%) (3)	\$1,055.93
Administration Fee (5%) (4)	\$1,319.91
Administrative Adjustment (5)	<u>(\$1.63)</u>
Total Assessable Cost	\$35,372.03
Total Frontage	391.50
Cost Per Footage	\$90.35

Notes:

1. Construction Contingency is 10% of the Assessable Construction Cost.
2. Engineering Fee of \$3,959.74 is for the cost of survey, design and drafting from Heller Weaver & Schermeta, Inc.
3. Inspection fee is 4% of the Assessable Construction Cost.
4. Administrative Fee is 5% of the Assessable Construction Cost.
5. Administrative Adjustment is used to round the cost per parcel to the nearest cent.

Attachment 5

Palm Beach County Water Utilities Department  
Continuing Construction Contract WUD 09-044  
Sheltra & Son Construction Co., Inc.  
Evergreen Drive 6" Watermain Extension  
Special Assessment Project  
Work Authorization No.1, Project No. WUD 06-011

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
6	6" DIP Water Main/Reclaimed Water Main (36" to 60" Cover)	190	LF	\$21.00	\$3,990.00
41	Ductile Iron Fittings for Water Main/Reclaimed Water Main	0.25	TN	\$4,500.00	\$1,125.00
45	8" HDPE Directional Drill Water Main/Reclaimed Water Main/Wastewater Force Main	120	LF	\$42.00	\$5,040.00
56	8" DIP x HDPE Adapter	4	EA	\$375.00	\$1,500.00
64	6" Mega-Lug Joint Restraint for DIP	11	EA	\$120.00	\$1,320.00
65	8" Mega-Lug Joint Restraint for DIP	4	EA	\$160.00	\$640.00
76	6" Joint Restraint Gasket (Field Lock or Fast Grip)		EA	\$70.00	\$280.00
94	6" Gate Valve & Valve Box		EA	\$775.00	\$1,550.00
125	Fire Hydrant Assembly with/6" Gate Valve & 6" DIP (42" Burial)		EA	\$2,500.00	\$2,500.00
127	Bollards for Fire Hydrant	4	EA	\$150.00	\$600.00
128	Sample Points w/Double Strap Saddle & Corp. Stop	1	EA	\$550.00	\$550.00
129	Sample Points on Fire Hydrants	1	EA	\$75.00	\$75.00
138	Short Single Service (1-1/2" PVC)	2	EA	\$300.00	\$1,600.00
146	Long Single Service (1-1/2" PVC with 3" Casing up to 40' long)	1	EA	\$1,000.00	\$1,000.00
220	Concrete Drive Removal and Restoration	30	SY	\$35.00	\$1,050.00
222	Asphalt Sidewalk Removal and Restoration	10	SY	\$10.00	\$100.00
226	Floritam Sod	300	SY	\$2.35	\$705.00
230	Record Drawing	310	L	\$0.25	\$77.50
231	Construction Survey	310	LF	\$0.25	\$77.50
232	Preconstruction Video Taping	310	LF	\$0.15	\$46.50
233	Mail Box Removal and Reinstallation	2	EA	\$40.00	\$80.00
234	Maintenance of Traffic Residential Street	235	LF	\$0.20	\$47.00
235	Maintenance of Traffic Arterial Roadway	45	LF	\$1.00	\$45.00
237	Density Tests	9	EA	\$50.00	\$450.00
238	Proctor Tests	1	EA	\$100.00	\$100.00
239	Concrete 12"x6" Cylinder Tests	1	EA	\$100.00	\$100.00
242	Additional work not included in bid items	1	LS	\$7,799.75	\$7,799.75
243	Irrigation Repairs (Per Lot -separate property control number)	2	EA	\$125.00	\$250.00

Construction Bid Price \$32,698.25

Capital Cost

45	8" HDPE Directional Drill Water Main/Reclaimed Water Main/Wastewater Force Main	80	LF	\$42.00	\$3,360.00
242	Additional work not included in bid items	1	LS	\$6,300.00	\$6,300.00
					\$9,660.00
Assessable Construction Cost					\$26,398.25



**WORK AUTHORIZATION NO. 1  
WATER UTILITIES DEPARTMENT  
CONTINUING CONSTRUCTION CONTRACT**

Project No. WUD 06-011

District: 3

Budget Line Item No. Fund 4013 Dept 721 Unit W021 Object 6543

Project Title: Evergreen Drive 6" Water Main Extension Special Assessment  
Project WUD 06-011

**THIS AUTHORIZATION # 1** to the Contract for Construction Services dated June 2, 2009 (Resolution/Document R2009-0944), 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 15% SBE participation overall. This Authorization includes 15.96% overall participation. The cumulative proposed SBE participation, including this authorization is 15.96% overall.

1. CONTRACTOR: Sheltra & Son Construction Co., Inc.
2. ADDRESS: 14911 S.W. Van Buren Ave., Indiantown, FL 34956
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 30 Calendar Days,  
Final Completion 60 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 \$32,698.25
7. EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED, all other terms, conditions and obligations of the Contract dated June 2, 2009, remain in full force and effect.

**WORK AUTHORIZATION NO. 1  
WATER UTILITIES DEPARTMENT  
CONTINUING CONSTRUCTION CONTRACT**

**Project No. WUD 06-011**

**Project Title: Evergreen Drive 6" Water Main Extension Special Assessment Project**

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:

Sharon R. Bock, Clerk & Comptroller

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY

\_\_\_\_\_  
(Deputy Clerk)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
(County Attorney)

\_\_\_\_\_, Chair

\_\_\_\_\_  
Date

*Budy*

CONTRACTOR

Sheltra & Son Construction Co., Inc.

ATTEST:

*John P. Swick*  
\_\_\_\_\_  
Witness

*Ricky Sheltra*  
\_\_\_\_\_  
(Signature)

JOHN P. SWICK / PROJECT MANAGER  
(Name and Title)

Ricky Sheltra, Vice President  
(Name and Title)

(CORPORATE SEAL)

10/02/09  
\_\_\_\_\_  
Date

## **EXHIBIT "A"**

### **WORK AUTHORIZATION NO. 1 PALM BEACH COUNTY WATER UTILITIES DEPARTMENT ENGINEERING/PROFESSIONAL SERVICES**

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

#### **Evergreen Drive 6" Water Main Extension Special Assessment Project**

#### **INTRODUCTION**

Palm Beach County (County) entered into a Contract for Construction Services dated June 2, 2009 (Resolution/Document R2009-0944), by and between Palm Beach County and Sheltra & Son Construction Co., Inc., for the Construction Services of this Authorization.

This Contract for Construction Services encompasses providing services related to the installation of potable water main in the area of Evergreen Drive at the intersection of Florida Mango Road.

#### **SCOPE OF SERVICES**

The Contractor shall provide and install 190 linear feet (LF) of 6" DIP and 120 LF of 8" HDPE potable water main, including one fire hydrant assembly, and connect to existing 6" potable water main. All water main shall be constructed 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 June 2, 2009 (Resolution/Document R2009-0944) 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 A

PERFORMANCE & PAYMENT BOND

(Public Work)

In compliance with U.S. Chapter 255.05(1)(a)

**Bond No.** 493-44-23

**Contractor:** Sheltra & Son Construction Co., Inc.

**Name:** 14911 S.W. Van Buren Ave.

**Address:** Indiantown, FL 34956

**Phone No.** (772) 597-3180

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**Surety:** Great American Insurance Company

**Name:** 580 Walnut Street

**Address:** Cincinnati, OH 45202

**Phone No.** (800) 331-3379

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**Owner:** Palm Beach County

**Name:** 8100 Forest Hill Blvd.

**Address:** West Palm Beach, FL 33413

**Phone No.** (561) 493-6000

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**Obligee:** (If contracting entity is different from the owner, the contracting public entity)

**Name:** Same

**Address:**

**Phone No.**

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**Bond Amount:** \$32,698.25

**Contract No. (if applicable):** WUD 06-011

**Description of Work:**

*Water Main Construction.*

**Project Location:**

*Palm Beach County, FL*

**Legal Description:**

*Evergreen Drive at intersection of Florida Mango Road*

FRONT PAGE

All other page(s) are deemed subsequent to this page regardless of any page number(s) that may be reprinted thereon.

ATTACHMENT A  
**PUBLIC CONSTRUCTION BOND**

BOND NUMBER: 493-44-23

BOND AMOUNT: \$32,698.25

CONTRACT AMOUNT: \$32,698.25

CONTRACTOR'S NAME: Sheltra & Son Construction Co., Inc.

CONTRACTOR'S ADDRESS: 14911 S.W. Van Buren Ave.  
Indiantown, FL 34956

CONTRACTOR'S PHONE: (772) 597-3180

SURETY COMPANY: Great American Insurance Company

SURETY'S ADDRESS: 580 Walnut Street  
Cincinnati, Ohio 45202  
(800) 331-3379

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: 8100 Forest Hill Boulevard (P. O. Box 16097)  
West Palm Beach, FL 33413

OWNER'S PHONE: (561) 493-6000

DESCRIPTION OF WORK: Furnish and install water main

PROJECT LOCATION: Palm Beach County, FL

LEGAL DESCRIPTION: Evergreen Drive at intersection of Florida Mango Road  
Section 5, Township 44S, Range 42E

**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

Dollars (\$ 32,698.25)

(Thirty Two Thousand Six Hundred Ninety-Eight Dollars and Twenty-Five cents)

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 June 2, 2009, entered into a contract with the County for

Project Name: Evergreen Drive 6" Water Main Extension Special Assessment Project  
Project No.: WUD 06-011  
Project Description: Furnish and install water main  
Project Location: Evergreen Drive at intersection of Florida Mango Road

in accordance with Design Criteria Drawings and Specifications prepared by

Name of Design Firm: PBC Water Utilities Department  
Location of Firm: West Palm Beach, FL 33411  
Phone: 561/493-6116  
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 June 2, 2009, between Principal and County for the construction of Evergreen Drive 6" Water Main Extension Special Assessment Project the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and
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
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

PROJECT WUD 06-011

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 coverage's 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, Florida and not elsewhere.

John S. Plim  
Witness

Principal  
Sheltra & Son Co. Construction Co., Inc. (Seal)

Ricky Sheltra  
Title: Ricky Sheltra - Vice President

Joann H. Behant  
Witness

Surety  
Great American Insurance Company (Seal)

Francis T. O'Reardon  
Title Francis T. O'Reardon  
Attorney-in-Fact  
Resident Florida Agent



GREAT AMERICAN INSURANCE COMPANY

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than FOUR

No. 0 18888

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; for all obligees including any and all consents required by the Department of Transportation, State of Florida, incident to the release of retained percentages and/or final estimates; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
TODD L. JOHNSON	ALL OF	ALL
FRANCIS T. O'REARDON	ORLANDO, FLORIDA	\$75,000,000.
JOANN H. BEBOUT		
JOSEPH D. JOHNSON, JR.		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 27TH day of JULY, 2009

Attest  
GREAT AMERICAN INSURANCE COMPANY

DAVID C. KITCHIN (513-412-4602)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 27TH day of JULY 2009, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 30th day of September, 2009

## ATTACHMENT B

**Palm Beach County Water Utilities Department  
Continuing Construction Contract WUD 09-044  
Sheltra & Son Construction Co., Inc.  
Evergreen Drive 6" Watermain Extension  
Special Assessment Project  
Work Authorization No.1, Project No. WUD 06-011**

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
6	6" DIP Water Main/Reclaimed Water Main (36" to 60" Cover)	190	LF	\$21.00	\$3,990.00
41	Ductile Iron Fittings for Water Main/Reclaimed Water Main	0.25	TN	\$4,500.00	\$1,125.00
45	8" HDPE Directional Drill Water Main/Reclaimed Water Main/Wastewater Force Main	120	LF	\$42.00	\$5,040.00
56	8" DIP x HDPE Adapter	4	EA	\$375.00	\$1,500.00
64	6" Mega-Lug Joint Restraint for DIP	11	EA	\$120.00	\$1,320.00
65	8" Mega-Lug Joint Restraint for DIP	4	EA	\$160.00	\$640.00
76	6" Joint Restraint Gasket (Field Lock or Fast Grip)	4	EA	\$70.00	\$280.00
94	6' Gate Valve & Valve Box	2	EA	\$775.00	\$1,550.00
125	Fire Hydrant Assembly with 6" Gate Valve & 6" DIP (42" Burial)	1	EA	\$2,500.00	\$2,500.00
127	Bollards for Fire Hydrant	4	EA	\$150.00	\$600.00
128	Sample Points w/Double Strap Saddle & Corp. Stop	1	EA	\$550.00	\$550.00
129	Sample Points on Fire Hydrants	1	EA	\$75.00	\$75.00
138	Short Single Service (1-1/2" PVC)	2	EA	\$800.00	\$1,600.00
146	Long Single Service (1-1/2" PVC with 3" Casing up to 40' long)	1	EA	\$1,000.00	\$1,000.00
220	Concrete Drive Removal and Restoration	30	Y	\$35.00	\$1,050.00
222	Asphalt Sidewalk Removal and Restoration	10	Y	\$10.00	\$100.00
226	Floritam Sod	300		\$2.35	\$705.00
230	Record Drawing	310	L	\$0.25	\$77.50
231	Construction Survey	310	LF	\$0.25	\$77.50
232	Preconstruction Video Taping	310	LF	\$0.15	\$46.50
233	Mail Box Removal and Reinstallation	2	EA	\$40.00	\$80.00
234	Maintenance of Traffic Residential Street	235	LF	\$0.20	\$47.00
235	Maintenance of Traffic Arterial Roadway	45	LF	\$1.00	\$45.00
237	Density Tests	9	EA	\$50.00	\$450.00
238	Proctor Tests	1	EA	\$100.00	\$100.00
239	Concrete 12"x6" Cylinder Tests	1	EA	\$100.00	\$100.00
242	Additional work not included in bid items	1	LS	\$7,799.75	\$7,799.75
243	Irrigation Repairs (Per Lot -separate property control number)	2	EA	\$125.00	\$250.00

Total Bid Price

**\$32,698.25****Additional Work**

Fire Flow test	1	EA	\$699.75	
Pilot Bore Plan	1	LS	\$2,500.00	
6"x6" Tapping Sleeve w/Valve and Valve Box	1	EA	\$3,800.00	
pressure testing	1	LS	\$800.00	
				<b>\$7,799.75</b>

ATTACHMENT C

SCHEDULE I

LIST OF PROPOSED SBE-W/MBE SUBCONTRACTORS

Project Name: Evergreen Drive 6" Water Main Extension Special Assessment Project	Project Number: <u>WUD 06-011</u>
Prime Contractor: Sheltra & Son Construction Co., Inc.	Address: 14911 S.W. Van Buren Ave., Indiantown, FL 34956
Contact: Ricky Sheltra	Phone No. 772-597-3180 Fax No. 772-597-4213
Date:	

Name, Addrsee, and Phone No.		Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other
Line Tec, Inc. 241 NW 18th Avenue Delray Beach, FL 33444	(561) 374-9494		X				\$ 5,220.00	

<u>TOTALS</u>				\$ -	\$ -	\$ -	\$ <u>5,220.00</u>	
<u>Total Bid Price</u>	<u>\$32,698.25</u>		<u>Total Value of SBE Participation</u>				\$ <u>5,220.00</u>	

ATTACHMENT D  
SCHEDULE #2

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

PROJECT NO.: WUD 06-011 PROJECT NAME: Evergreen Drive 6" Water Main Extension  
Special Assessment ProjectTO: 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 x Minority Business Enterprise \_\_\_\_\_Black \_\_\_\_\_ Hispanic \_\_\_\_\_ Women \_\_\_\_\_ Caucasian x Other (Please Specify) \_\_\_\_\_Date of Palm Beach County Certification: 03/26/2007The 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 No.	Item Description	Qty./Units	Unit Price	Total Price
<u>1</u>	<u>Lot Materials</u>	<u>1</u>	<u>Lot</u>	<u>\$5,220.00</u>

At the following price: \$5,220.00 (60% of \$8,700 for material purchase ONLY)  
(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: N/A

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

Line-Tec, Inc  
(Print name of SBE-M/WBE Subcontractor)By: 

(Signature)

Scott Elsworth, President(Print name/title of person executing on behalf  
of SBE-M/WBE Subcontractor)Date: 10-05-09

# ATTACHMENT E



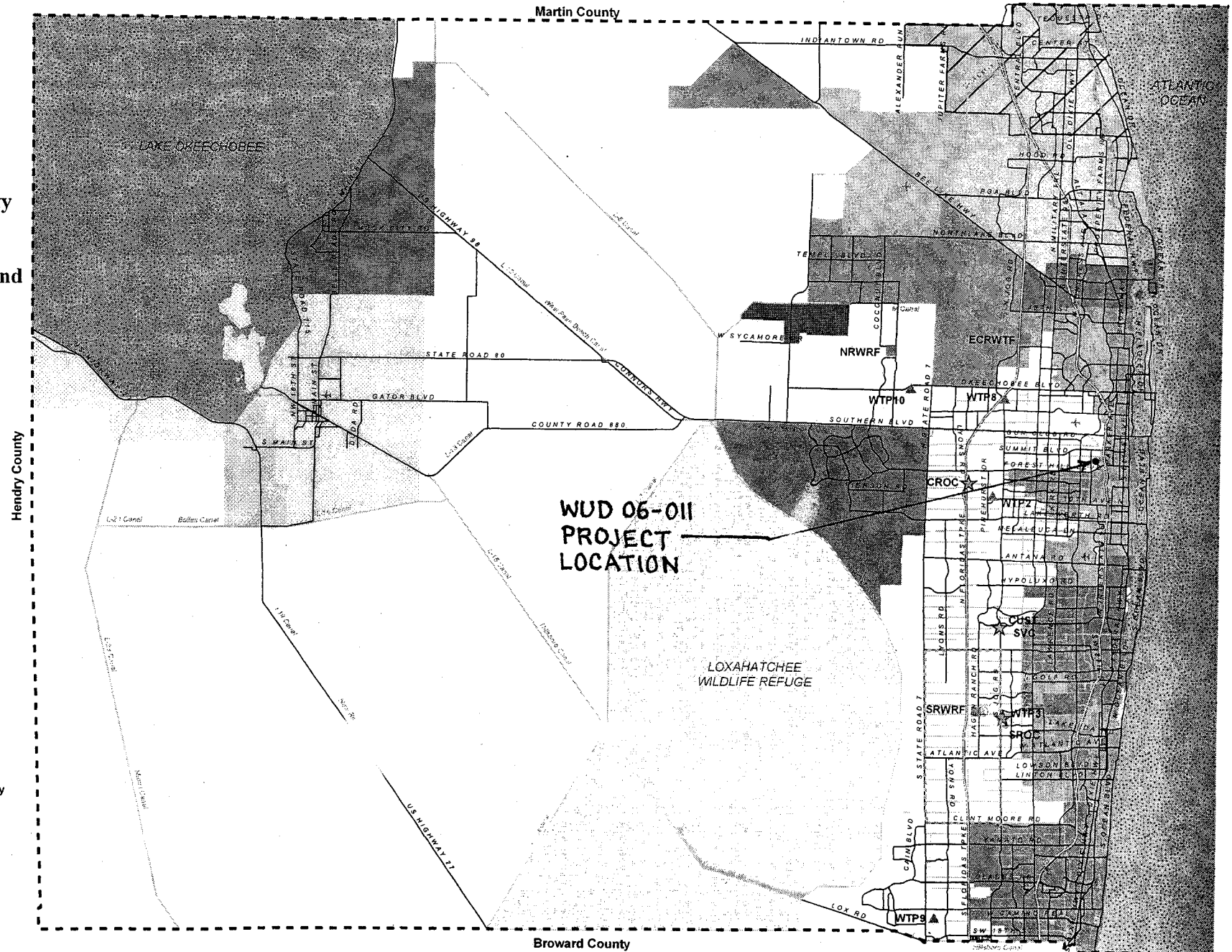
## Palm Beach County Water Utilities Department Service Area (SA) and Major Facilities

### 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

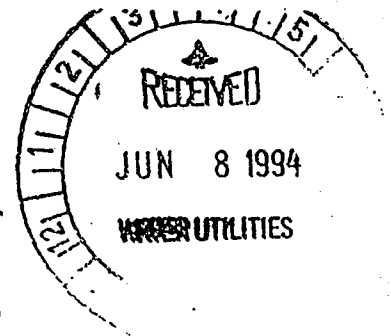


## SUMMARY AND STATUS OF REQUESTS FOR AUTHORIZATIONS

**TOTAL**

**EXHIBIT - C****CONTINUING CONSTRUCTION CONTRACT  
SUMMARY OF SMALL BUSINESS ENTERPRISE TRACKING SYSTEM****Work Authorization No. 1**

	<b>TOTAL</b>	<b>SBE</b>
<b>Current Proposal</b>		
Value of Authorization No. 1	\$32,698.25	
Value of SBE Letters of Intent	\$5,220.00	\$5,220.00
Actual Percentage (SBE value/Authorization value x 0.6)	15.96%	15.96%
<b>Signed Authorizations</b>		
Total Value of Authorizations 1thru 1		
Total Value of SBE Signed Subcontracts		
Actual Percentage		
<b>Signed Authorizatons plus Current Proposal</b>		
Total Value of Authorizations	\$32,698.25	
Total Value of Subcontracts & Letters of Intent	\$5,220.00	\$5,220.00
Actual Percentage		15.96%
<b>GOAL</b>	<b>15.00%</b>	<b>15.96%</b>



AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, PURSUANT TO AN ORDINANCE OF PALM BEACH COUNTY, REQUESTING THE PALM BEACH COUNTY WATER UTILITIES DEPARTMENT TO INSTALL WATER LINES AND NECESSARY FIRE HYDRANTS IN THE INCORPORATED AREA NORTH OF FOREST HILL BOULEVARD TO ANY AND ALL STREETS THAT HAVE 51% (FIFTY-ONE PERCENT) OF OWNERS AGREEING TO THE INSTALLATION, (EXCLUDING CARANDIS ROAD, CARAMBOLA ROAD AND COMMERCIAL PROPERTIES, WHO MAY NEGOTIATE INDIVIDUALLY); PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County has an ordinance which requires a municipality who wishes for the County to provide a water and/or sewer special assessment project within the municipality's boundaries to adopt an ordinance granting that municipality's consent and authorization to the County to undertake such project and to the County Water Utilities Department to be the service provider; and

WHEREAS, the Town Council of the Town of Lake Clarke Shores, Florida, has previously passed Resolution No. 720 regarding the activities which are the subject of this ordinance; and

WHEREAS, the Town Council of the Town of Lake Clarke Shores, Florida, wishes to adopt an ordinance regarding the property described herein in order to comply with the County Ordinance referenced above.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, as follows:

SECTION 1 - The Town Council of the Town of Lake Clarke Shores, Florida, hereby requests the Palm Beach County Water Utilities



Department to install water lines and necessary fire hydrants in the incorporated area north of Forest Hill Boulevard to any and all streets that have 51% (fifty-one percent) of owners agreeing to the installation, (excluding Carandis Road, Carambola Road and commercial properties, who may negotiate individually).

## SECTION 2 - SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

## SECTION 3 - INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the Town of Lake Clarke Shores, Florida. The Sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "chapter," "article," or any other appropriate word.

## SECTION 4 - REPEAL OF LAWS IN CONFLICT

All ordinances or parts of ordinances of the Town of Lake Clarke Shores, Florida which conflict with this Ordinance are hereby repealed.

## SECTION 5 - EFFECTIVE DATE

The provisions of this Ordinance shall become effective immediately upon its passage.

PASSED AND ADOPTED this 17th day of May, 1994, on

first reading.

TOWN OF LAKE CLARKE SHORES, FLORIDA

By: Robert M.W. Shalhoub, Mayor

David Keir, Vice Mayor

ABSENT

Malcolm K. Lewis, President Pro-Tem

Gregory M. Casey, Council Member

Betty Jane Williams, Council Member

FOR

AGAINST

X

X

ATTEST:

Joann Hatton  
Joann Hatton  
Town Clerk

PUBLISHED THIS 26th day of May, 1994 in the LAKE WORTH  
Beach/Post. Lake Worth Herald.

PASSED AND ADOPTED this 7th day of June, 1994 on  
second and final reading.

CLERK OF THE TOWN OF LAKE  
CLARKE SHORES DO HEREBY CERTIFY THAT  
THIS IS A TRUE COPY AS TAKEN FROM THE  
OFFICIAL RECORDS OF THE TOWN.

Joann Hatton, CMC  
TOWN CLERK      DEPUTY CLERK