PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:

September 9, 2014

Consent [X]
Public Hearing []

Regular []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Work Authorization No. 12 for South County Water Services Replacement Project - Phase III with Johnson-Davis, Inc., (R2013-0550) in the amount of \$2,318,648.40.

Summary: On May 7, 2013, the Palm Beach County Board of County Commissioners approved the Water Utilities Department (WUD) Pipeline Continuing Construction Contract (R2013-0550) to Johnson-Davis, Inc. This Work Authorization No. 12 provides for the replacement of potable water services and asbestos concrete water mains within the following three (3) areas of South County including Sandalfoot Cove: located in southwest Boca Raton (west of Lyons Road and just south of Palmetto Park Road); Boca Dunes: located in southwest Boca Raton (west of Lyons Road and just north of SW 18th Street); and Spanish Isles: located in southwest Boca Raton (north of Spanish Isles Boulevard between Lyons Road and State Road 7). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 20.96%. This Work Authorization includes 18.23% overall participation. The cumulative SBE participation including this authorization is 18.18% overall. Johnson-Davis, Inc. is a Palm Beach County company. This project is included in the FY 13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 13-031) District 5 (JM)

Background and Justification: WUD serves potable water to the Palmetto Pines Residential Area in southwest Boca Raton. Portions of the existing water mains are old asbestos concrete (AC) pipes and the existing water service lines to the individual residences are over 30 years old and are composed of old polyethylene (PE) pipe which is currently failing or leaking, thus causing interruption of service to customers. The scope of this project is to replace these old sections of AC pipe with PVC and the old PE water service lines with new PVC service lines. In addition, as part of this project, the existing direct read water meters will be replaced with radio read meters. These improvements shall greatly increase the reliability of water service to customers and provide a more efficient means of meter reading for the Department's operation staff.

Attachments:

1. Location Map

2. Two (2) Original Work Authorization No. 12

Recommended By:

Department Director

Date

Approved By:

Assistant County Administrator

/Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures External Revenues Operating Expenses In-Kind Match County	\$2,318,648. 0 0 0 0	<u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>
NET FISCAL IMPACT	\$2,318,648				
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund 4011 Dept 721 Unit W031 Object 6543

Is Item Included in Current Budget? Yes \underline{X} No

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

One (1) time capital expenditure from user fees and balance brought forward.

C. Department Fiscal Review:

Della m West

III. REVIEW COMMENTS

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

B. Legal sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.



P.B.C.W.U.D. SA •••• Mandatory Reclaimed SA

= = • Palm Beach County Limits

Water Utilities **Department**

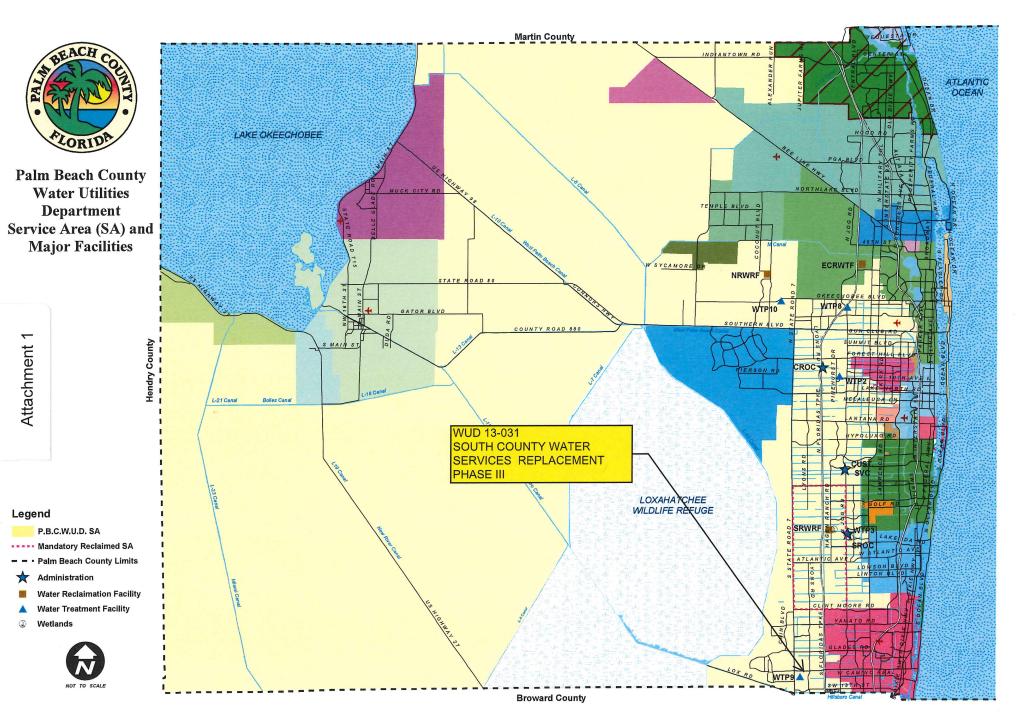
Administration

Water Reclaimation Facility

▲ Water Treatment Facility

Wetlands





WORK AUTHORIZATION NO. 12

Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 13-020

Project No. WUD 13-031

District: 5

Budget Line Item No. 4011-721-W031-6543

Project Title: South County Water Services Replacement Project-Phase III

THIS AUTHORIZATION #12 to the Contract for Construction Services dated May 07, 2013 (R2013-0550), by and between Palm Beach County and the Contractor identified herein, is for the Construction Services of this Work Authorization. The Contract provides for 20.96% SBE participation overall. This Work Authorization includes 18.23% overall participation. The cumulative proposed SBE participation, including this authorization is 18.18% overall. Additional authorization will be utilized to meet or exceed the stated overall participation goal;

- 1. CONTRACTOR: Johnson-Davis Incorporated
- 2. ADDRESS: 604 Hillbrath Drive, Lantana, FL 33462
- 3. Description of Services (Scope of Work) to be provided by the Contractor:

See ATTACHMENT A.

4. Services completed by the Contractor to date:

See ATTACHMENT G.

5. Contractor shall begin work promptly or deliver ordered materials within the following calendar days from the issuance of Notice to Proceed (NTP):

Substantial Completion <u>390</u> Calendar Days
Final Construction Completion <u>420</u> Calendar Days
Liquidated damages will apply as follows:
\$1,000.00 per day past substantial completion date.
\$500.00 per day past final completion date.
(For Liquidated Damages Rates see **ATTACHMENT B**)

- 6. The compensation to be paid to the Contractor for providing the requested services in accordance with the Contract Bid Prices is \$2,318,648.40
- 7. EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED, all other terms, conditions and obligations of the Contract dated May 07, 2013 remain in full force and effect.

WORK AUTHORIZATION NO. 12

Project No. WUD 13-031

Project Title: South County Water Services Replacement Project-Phase III

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

Sharon R. Bock, Clerk & Comptroller, Palm Beach County	Palm Beach County, Board of County Commissioners
ATTEST:	
Signed:	Signed: Priscilla A. Taylor, Mayor <i>Bhy</i>
Typed Name: Deputy Clerk	Date
Approved as to Form and Legal Sufficiency	
Signed:	
Typed Name:County Attorney	CONTRACTOR: JOHNSON - DAVIS INC.
Witness	(Signature)
(Name and Title)	(Name and Title)
(CORPORATE SEAL)	

LIST OF ATTACHMENTS

WORK AUTHORIZATION NO. 12

Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 13-020

ATTACHMENT – A	Compensation Summary (Scope of Work)
ATTACHMENT – B	Rate for Liquidated Damages
ATTACHMENT - C	Public Construction Bond
ATTACHMENT D	Form of Guarantee
ATTACHMENT - E	Work Authorization Schedule of Bid Items
ATTACHMENT – F	SBE Schedule 1 and Schedule 2
ATTACHMENT - G	Authorization Status Report - Summary and Status of Authorizations
ATTACHMENT - H	Authorization Status Report - Summary of SBE/Minority Business Tracking

Location Map

ATTACHMENT - I

WORK AUTHORIZATION NO. 12

Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 13-020

SCOPE OF WORK FOR

South County Water Services Replacement Project-Phase III

INTRODUCTION

Palm Beach County (County) entered into an agreement entitled Contract for Pipeline Continuing Construction Services - Palm Beach County Water Utilities Department Project No. WUD 13-020 (CONTRACT) with Johnson-Davis Incorporated (CONTRACTOR) to provide construction services for various general activities on the Pipeline Continuing Construction Contract dated May 07, 2013, (R2013-0550). This Work Authorization will be performed under that CONTRACT.

This Work Authorization encompasses providing services related to <u>South</u> <u>County Water Services Replacement Project-Phase III</u>

SCOPE OF SERVICES

Contractor shall perform the engineering Scope of Services as described herein South County Water Services Replacement Project-Phase III which includes furnishing and installation of approximately 9705 l.f. of 6" and 8" PVC watermain with approximately 148 each new services of the new mains. In addition, the installation of 327 each water services off existing mains and replacing the existing fire hydrant piping on 35 each existing fire hydrants.

COMPENSATION

Compensation shall not exceed \$2,318,648.40 in accordance with the unit prices established in the Contract for construction services dated May 07, 2013 as approved by the Board of County Commissioners.

SBE PARTICIPATION

As described in Section 3.5 of the Contract, SBE participation is included in **ATTACHMENT F** under this Authorization. The attached Schedule 1 defines the SBE applied to this Authorization/Contract and Schedule 2 establishes the SBE contribution from each subcontractor (Letter of Intent to perform as an SBE).

WORK AUTHORIZATION NO. 12

Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 13-020

Rates for Liquidated Damages

Palm Beach County Water utilities Department shall establish liquidated damages rates for each Work Authorization based on the dollar amount and time sensitivity of the project. The rates shall be as follows according to a criticality rating of 1 through 3 assigned to each Work Authorization by the Department as established below:

Highly Important Project (Criticality 1): Liquidated Damages \$1,500 per day after Substantial Completion Date \$1,000 per day after Final Completion Date

Moderately Important Project (Criticality 2): Liquidated Damages \$1,000 per day after Substantial Completion Date \$500 per day after Final Completion Date

Low Important Project (Criticality 3): Liquidated Damages \$500 per day after Substantial Completion Date \$250 per day after Final Completion Date

PUBLIC CONSTRUCTION BOND

BOND NUMBER:

016059177

BOND AMOUNT:

\$2,318,648.40

CONTRACT AMOUNT:

\$2,318,648.40

CONTRACTOR'S NAME:

Johnson-Davis, Incorporated

CONTRACTOR'S ADDRESS:

604 Hillbrath Drive

Lantana, FL 33462

CONTRACTOR'S PHONE:

(561) 588-1170

SURETY COMPANY:

Liberty Mutual Insurance Company

SURETY'S ADDRESS:

175 Berkeley Street Boston, MA 02116

(617) 357-9500

OWNER'S NAME:

PALM BEACH COUNTY

OWNER'S ADDRESS:

8100 Forest Hill Boulevard

West Palm Beach, FL 33413

OWNER'S PHONE:

(561) 493-6000

DESCRIPTION OF WORK: installing raw water mains, potable water mains, fire hydrants, water services lines, wastewater forcemains, reclaimed water mains and all associated appurtenances

COUNTY'S PROJECT NUMBER: WUD 13-031, Work Authorization Number #12

PROJECT LOCATION:

System-Wide

LEGAL DESCRIPTION:

South County Water Services Replacement Project-Phase III

WUD 13-031

Section 6, 30, 31, Township 47 South, Range 42 East

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 <u>Two Million Three Hundred Eighteen Thousand Six Hundred Forty Eight and 40/100 dollars (2,318,648.40)</u>

1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
(Here insert a sum equal to the 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, 20, entered into a contract with the County for
Project Name: Pipeline Continuing Construction Contract 2013 Project No.: WUD 13-020 Project Description: installing raw water mains, potable water mains, fire hydrants, water services lines, wastewater forcemains, reclaimed water mains and all associated appurtenances Project Location: System-Wide
in accordance with Design Criteria Drawings and Specifications prepared by Name of Design Firm: Palm Beach County Water Utilities Department Location of Firm: 8100 Forest Hill Boulevard, West Palm Beach, FL 33413
Phone: (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
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 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 ins jurisdiction in Palm Beach County, Florida	strument shall be brought in the state court of compete	nt
Thrish Mr Der	and not eisewhere.	
Witness	Principal (Seal)	
LA CLES DITU DE LACE L	ROBERT A. HOPKER	
Print name	Print name	
	Title	
Bets K. Harman Witness	Marie Segrone Surety (Seal)	
Beth K. Harmon Print name	Maria Signorile Print name	
	Attorney-in –Fact Title	



July 23, 2014

Palm Beach County Board of County Commissioners 301 N. Olive Avenue West Palm Beach, Florida 33401

Re: Public Construction Bond #016059177 – Johnson-Davis, Incorporated

As the Surety Company for Johnson-Davis, Incorporated, permission is hereby granted for Palm Beach County to add the contract date on the referenced bond(s) and to similarly date the power(s) of attorney after executing the contract when the contract date is known.

If you have any questions, please contact me at (404) 261-3400

Sincerely,

Liberty Mutual Insurance Company

Maria Signorile, Attorney-in-Fact

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6412686

American Fire and Casualty Company The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute Beth Marian Kitchens-Harmon; James F. Dunn; Maria Signorile; Wesley P. Williams

all of the city of Atlanta . state of GA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 10th _day of _ January 2014

The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company of lang

David M. Carey, Assistant Secretary

American Fire and Casualty Company

STATE OF PENNSYLVANIA COUNTY OF MONTGOMERY

On this 10th day of January , 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute 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 have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

ibec CONTRACTOR OF THE PARTY OF THE

Notarial Seal Teresa Pastella, Notary Public Plymouth Twp., Mentgemery County My Commission Expires Merch 28, 2017 er. Pennsylvania Association of Notaries

Teresa Pastella . Notary Public

lresa

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this _ _day of _

confirm the validity of this Power of Attorney call 10-832-8240 between 9:00 am and 4:30 pm EST on any business day.

confirm

7oc 1-61







/. Davenport, Assistant Secretary

guarantees note, loan, letter of credit, rate or residual value Not valid for mortgage, currency rate, interest

LMS_12873 122013

Bond Number: 016059177

ATTACHMENT D

FORM OF GUARANTEE

GUARANTEE FOR (Contractor and Surety Name)

Johnson-Davis, Incorporated (Contractor) and Liberty Mutual Insurance Company (Surety)

We the undersigned hereby guarantee that the Pipeline Continuing Construction Contract 2013, Project Number WUD 13-020, Work Authorization Number 12, WUD 13-031 Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of our work, together with any work of others which may be damaged in so doing, that may prove to be defective in the workmanship or materials within a period of one year from the date of Substantial Completion of all of the above named work by the County of Palm Beach, State of Florida, without any expense whatsoever to said County of Palm Beach, ordinary wear and tear and unusual abuse or neglect excepted by the County. When correction work is started, it shall be carried through to completion.

In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand.

DATED	
(notice of completion filing date)	
SEAL AND NOTARIAL ACKNOWLEDGMENT	OF SURETY
Johnson-Davis, Incorporated	(Seal)
(Contractor)	
By:	ROBERS A HOPER, V.P.
(Signature)	(Printed Name)
Liberty Mutual Insurance Company	(Seal)
(Surety)	
By: Signature)	Maria Signorile, Attorney-in-Fact (Printed Name)

GUARANTEE - 1D

Rev 10-5-12

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6412709

American Fire and Casualty Company The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of
the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company
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and appoint, Beth Marian Kitchens-Harmon; James F. Dunn; Maria Signorile; Wesley P. Williams

all of the city of Atlanta . state of GA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 10th day of January 2014

STATE OF PENNSYLVANIA

COUNTY OF MONTGOMERY On this 10th day of January 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute 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 have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written. JOEC CONTRACTOR

Convey (Notarial Seal Teresa Pestella, Notary Public Plymouth Twp., Montgomery County My Commission Expires March 28, 2017

Teresa Pastella , Notary Publi

American Fire and Casualty Company The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company

David M. Carey, Assistant Secretary

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this day of



value guarantees.

mortgage, note, loan, letter of credit,

Not valid for r currency rate

residual

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W. Davenport, Assistant Secretary

173 of 200

LMS 12873 122013

SCHEDULE OF BID ITEMS

Palm Beach County Water Utility Department
Pipeline Continuing Construction Contract - WUD 13-020

Work Authorization No.: 12
Contractor Name: Johnson-Davis Inc.
Project Name: South County Water Services Replacement Project-Phase III
Project No.: WUD 13-031

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL	
5	6" PVC Push-On Joint Water Main/Reclaimed Water Main/Wastewater Force Main (36" to 60" Cover)	255	L.F.	\$15.00	\$3,825.00	
10	8" PVC Push-On Joint Water Main/Reclaimed Water Main/Wastewater Force Main (36" to 60" Cover)	9,450	L.F.	\$20.00	\$189,000.00	
13	8" DIP Water Main Conflict center 20' length of restrained joint	7	Each	\$2,500.00	\$17,500.00	
25	16" PVC Push-On Joint Water Main/Wastewater Force	10	L.F.	\$48.00	\$480.00	
44	Ductile Iron Fittings for Water Main/Reclaimed Water Main	3.00	Tons	\$3,500.00	\$10,500.00	
102	6" Mechanical Joint Restraint for PVC	23	Each	\$190.00	\$4,370.00	
103	8" Mechanical Joint Restraint for PVC	218	Each	\$250.00	\$54,500.00	
106	16" Mechanical Joint Restraint for PVC	4	Each	\$625.00	\$2,500.00	
120	6" PVC Pressure Pipe Restraint Harness	4	Each	\$100.00	\$400.00	
121	8" PVC Pressure Pipe Restraint Harness	111	Each	\$150.00	\$16,650.00	
129	6" Gate Valve & Valve Box	1	Each	\$850.00	\$850.00	
130	8" Gate Valve & Valve Box	22	Each	\$1,150.00	\$25,300.00	
150	16"X 8" Tapping Sleeve w/Valve & Valve Box	4.00	Each	\$7,500.00	\$30,000.00	
193	Fire Hydrant Assembly with Valve & Anchor Tee Assembly (up to	21.00	Each	\$4,200.00	\$88,200.00	
198	Sample Points on Fire Hydrants	12.00	Each	\$600.00	\$7,200.00	
206	Short Single 5/8" Meter Service (1" PVC) (up to 10' long)	109.00	Each	\$725.00	\$79,025.00	
211	Short Double 5/8" Meter Service (1-1/2" PVC) (up to 10' long)	152.00	Each	\$1,100.00	\$167,200.00	
219	Long Single 5/8" Meter Service (1" PVC with 3" Casing up to 40'	73.00	Each	\$975.00	\$71,175.00	
223	Long Double 5/8" Meter Service (1-1/2" PVC with 3" Casing up to	141.00	Each	\$1,300.00	\$183,300.00	
234	Extra Long 5/8" Meter Service Line (1 1/2" PVC) (200 LF Max.)	1,800.00	L.F.	\$10.00	\$18,000.00	
236	Extra Long 5/8" Meter Service Line (1 1/2 PVC w/3" Casing) (200	1,650.00	L.F.	\$15.00	\$24,750.00	
242	Additional Cost to Wet Tap any Water Service 2" or less	327.00	Each	\$300.00	\$98,100.00	
255	4" to 12" Diameter Connection to Existing Water Main/Reclaimed	1.00	Each	\$2,500.00	\$2,500.00	
256	16" to 20" Diameter Connection to Existing Water Main/Reclaimed	1.00	Each	\$6,000.00	\$6,000.00	
261	Grouting/Deactivation of Existing 4" Pipe	930.00	L.F.	\$12.00	\$11,160.00	
262	Grouting/Deactivation of Existing 6" Pipe	8,720.00	L.F.	\$15.00	\$130,800.00	
270	Milling of Asphalt (Minimum 220 Sq. Yd. per mobilization - 1.5"	1,400.00	Sq. Yd.	\$20.00	\$28,000.00	
271	Asphalt Overlay, Type S-III (20 to 150 tons per work area)	80.00	Tons	\$280.00	\$22,400.00	
272	Asphalt Roadway Removal and Restoration (2.5" thick)	900.00	Sq. Yd.	\$60.00	\$54,000.00	
273	Asphalt Driveway Removal and Restoration (1.5" thick)	250.00	Sq. Yd.	\$45.00	\$11,250.00	
274	Concrete Driveway Removal and Restoration	2,050.00	Sq. Yd.	\$55.00	\$112,750.00	
275	Stamped Concrete Driveway Removal and Restoration	25.00	Sq. Yd.	\$70.00	\$1,750.00	
276	Concrete Paver Brick Driveway Removal and Restoration	90.00	Sq. Yd.	\$75.00	\$6,750.00	
277	Painted Concrete Driveway Removal and Restoration Concrete Sidewalk Removal & Restoration	160.00	Sq. Yd.	\$60.00	\$9,600.00	
280 281		3,300.00 380.00	Sq. Yd. L.F.	\$45.00	\$148,500.00	
	Concrete Curb & Gutter Removal & Restoration Concrete Flush Header Curb Removal & Restoration	30.00	L.F.	\$40.00 \$40.00	\$15,200.00 \$1,200.00	
282 283	Floritam Sod	10,900.00	Sq. Yd.	\$5.00	\$54,500.00	
286	Remove and Reinstall Trees up to 4" diameter or Palm Trees up to	48.00	Each	\$180.00	\$8,640.00	
287	Record Drawing	30,050.00	Lacii L.F.	\$2.00	\$60,100.00	
88	Construction Survey	30,050.00	L.F.	\$2.00	\$60,100.00	
289	Preconstruction Video Taping	30,050.00	L.F.	\$0.40	\$12,020.00	
290	Mail Box Removal and Reinstallation	41.00	Each	\$130.00	\$5,330.00	
91	Maintenance of Traffic Residential Street	30,050.00	L.F.	\$1.00	\$30,050.00	
92	Maintenance of Traffic Arterial Roadway	2,600.00	L.F.	\$2.00	\$5,200.00	
94	Density Tests	420.00	Each	\$30.00	\$12,600.00	
95	Proctor Tests	3.00	Each	\$100.00	\$300.00	
296	Concrete 12"x6" Cylinder Tests	88.00	Each	\$80.00	\$7,040.00	
97	Additional Pipe Crew Hours for installation greater than 60" cover	5.00	Each	\$400.00	\$2,000.00	
98	Additional work not included in Bid Items (Allowance)	1.00	Lump Sum	\$327,675.00	\$327,675.00	
	` '		,		,,,,,,,,,	
		TOTAL BID PRI	<u> </u>		\$2,240,240.00	

Palm Beach County Water Utility Department Pipeline Continuing Construction Contract - WUD 13-020

Work Authorization No.: 12

Contractor Name: <u>Johnson-Davis Inc.</u>

South County Water Services Replacement Project-Phase III WUD 13-031 Project Name: __

Project No.:

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	<u>UNIT</u>	U	NIT PRICE		<u>TOTAL</u>
	<u> </u>						
	MISC. ITEMS - BID ITEM # 298	QUANTITY	UNIT	U	NIT PRICE		TOTAL
	Convert Hydrant Pipe to DIP	35	EA	\$	1,800.00	\$	63,000.00
	Locate, Remove Corp.Stop & DSS,Band Ex.Hole	475	EA	\$	475.00	\$	225,625.00
	Protect/Repair Existing Wood/PVC Fence	270	LF	\$	15.00	\$	4,050.00
	Rock Excavation Incl. Repl. Backfill	100	CY	\$	75.00	\$	7,500.00
	Hold/Support Utility Pole	16	Loc.	\$	1,500.00	\$	24,000.00
	Remove Existing Hydrant/Plug Main	7	EA	\$	500.00	\$	3,500.00
		-					
		TOTAL MISC.				Ş	\$327,675.00
				_			
<u> </u>		1					
-		Subto	tal				2,240,240.00
		Mobiliza	tion				\$78,408.40
		Tota	1			\$2	2,318,648.40

Notes:

1) Sidewalk replacement quantity reflects plans.

All long services are assumed moles except where existing main is in asphalt, then open cut method will be used.
 As with phases 1 and 2, tap locations will be located to minimize restoration of driveway/sidewalks, etc. Driveway quantities may fluctuate based on our success and where the existing main taps are located.
 All connection work to be done by Johnson-Davis employees.

SCHEDULE #1

LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS

PROJECT NAME:	South County Water Services Replacement Project- Phase III				PROJECT NUMBER: WUD 13-031				
NAME OF PRIME BIDDER: CONTACT PERSON: BID OPENING DATE:	R: Johnson-Davis Incorporated Bernie Vito			<u>-</u> -			NO. <u>561-588-11</u>	Drive, Lantana, FL 33462 0 FAX NO. <u>561-585-5252</u>	
		PLEASE ID	ENTIFY ALL APPLI	CABLE	CATEGOR	IES			
Name, Address and Telephon	е	(Check one or b	oth Categories)					Dollar Amount	
Number of Minority Contractor		Minority Business	Small Business		Black	Hispani	c Women	Caucasian	Other (Please Specify)
Nutting Engineers of FL, Inc. 561-376-4900									
1310 Neptune Dr., Boynton Be				\$		\$	\$	\$14,385.00	\$
Michael B. Schorah & Associa	ites, Inc. 561-968-0080		\Box						
1850 Forest Hill Blvd., Suite 2	06		LXI				*		
West Palm Beach, FL 33406				\$		\$	\$	\$31,774.00) \$
Pathway Enterprises Inc. 561- 7256 Westport Place, Suite B				s		\$	\$	\$177,448.00	\$
· · · · · · · · · · · · · · · · · · ·	VV.1 .B., 1 E 00410			╫		Ψ	Ψ	Ψ177,440.00	Ψ
Pipecon Corporation inc. 954-	971-1195		X						
1852 N.W. 21st St., Pompano	Beach, FL 33069			\$		\$	\$	\$153,783.00	\$
Uyility Supply Associates Inc. 140 Commerce Rd., Boynton			X	\$		\$	\$	\$45,309.18	3 \$
	,			*		-	~	\$ 10,000.10	* •
				\$		\$	\$		\$
PRIME CONTRACTOR TO C	OMPLETE:		TOTAL		\$0.00	\$0.	00 -	\$422,699.18	\$ -
BID PRICE: \$ 2,318,648.49	0	Total Value	of SBE Participation	: \$	\$422,699.18	3			

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.

SCHEDULE 2

SCHEDULE 2

PROJECT NO. WUD 13-031 PROJECT NAME: South County Water Services Replacement Project-Phase III
TO: JOHNSON-DAVIS INCORPORATED (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 X Other (Please Specify)
Date of Palm Beach County Certification: 6/03/10 - 6/01/15
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 Item Description Qty / Units Unit Price Total Price No.
287 Record Dugs 3 125 31,774
at the following price
\$(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 MICHAEL B. SCHORAH & ASSOC'. INC. (Print Name of SBE-MWBE Subcontractor)
By: MuLacib Schwali (Signature)
MICHAEL B. SCHORAH, PRESIDENT (Print name/title of person executing on behalf of SBE-MWBE Subcontractor)
Date: 29+4 July 2014

SCHEDULE 2

PROJECT NO. <u>WUD 13-031</u> PROJECT NAME <u>Project-Phase III</u>	South County Water Services Replacement	<u>∍nt</u>
TO: JOHNSON-DAVIS INCORPORATED	·	
(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 Caucasia	Other (Please Specify)	
Date of Palm Beach County Certification: MARC	h 62013 - MARCH 52014	0
The undersigned is prepared to perform the following des (Specify in detail, particular work items or parts there		
Line Item/Lot Item Description Qt No.	/ Units Unit Price Total Price	
274 Core Drive Replacement 20 275 Stonged Cone Dr Repl 276 Core Busin Bruk Drive Repl 277 Paint of Core Dr Repl	SDsy 3450 70,725 25 sy 59 1,475 30 sy 53 4,770 60 sy 40 50 6,480	Notice to
at the following price \$(Subcontractor's quote)		
(Subcontractor's quote)		
Beach County, If undersigned intends to sub-subcontract any portion of	u conditioned upon your execution of a contract with Pa this subcontract to a non-certified SBE subcontractor, t	
The undersigned subcontractor understands that the subcontractor from providing quotations to other bidders	Print Name of SBE-MWBR Subcontractor) By: When Subcontractor (Signature) (Print name/title of person executing on behalf of SBE-MWBR Subcontractor)	ent Tuc Kal
	Date: 1/90/19	

SCHEDULE 2

PROJECT NO. WUD 13-031 PROJECT NAME: South County Water Services Replacer Project-Phase III	<u>nent</u>
TO: JOHNSON-DAVIS INCORPORATED	
(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 CaucasianOther (Please Specify)	
Date of Paim Beach County Certification: MARCH 6 2013 — MARCH 5 2016	
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 Item Description Qty / Units Unit Price Total Price No.	
280 Conc Sidewalk Repl. 3300sy 26 85 800 281 Conc Guste Gutter Repl. 380 cr 20 7600- 282 Conc Flash Hender Repl. 30 600-	
at the following price	
(Subcontractor's quote)	
And will enter into a formal agreement for work with you conditioned upon your execution of a contract with P Beach County. f undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, under the fant subcontract must be stated: \$	
The undersigned subcontractor understands that the provision of this form to prime bidder does not presubcontractor from providing quotations to other bidders Path way Eddy Was Subcontractor	vent RC Nd
Date: 7/30/14	

SCHEDULE 2

Project-Phas	o. <u>Wod 13-031</u> PROJECT <u>e III</u>	NAME: South	County water	r Services Replaceme
TO: JOHNS	ON-DAVIS INCORPORATED	ame of Prime Bidd		
	(14)	ame of Prime Blod	er)	
The undersign	ned is certified by Palm Beach	County as a(n) -	(check one or m	ore, as applicable):
Small	Business Enterprise	Mino	rity Business En	terprise
Black H	lispanic Women Ca	aucasianOth	ner (Please Spe	cify)
Date of Palm I	Beach County Certification:	6-3-	-14	
The undersigne	ed is prepared to perform the follo all, particular work items or pa	wing described work	in connection with	n the above project
Line Item/Lot No.	Item Description	Qty / Units	Unit Price	Total Price
106-1242	Water Serv. Install	1/25		153,183
at the following	price			,
\$	(Subcontractor's quot	e)		· · · · · · · · · · · · · · · · · · ·
Beach County. If undersigned:	into a formal agreement for work intends to sub-subcontract any p such subcontract must be stated:	portion of this subco	intract to a non-ce	ertified SBE subcontractor, a
	ed subcontractor understands to other providing quotations to other	bidders (Print By: 4 (Print)	Name of SBE-MY	NBE Subcontractor) Auture) Auture) Auture) Auture)
		.	8/4/	iti

SCHEDULE 2

PROJECT NO. Project-Phase	WUD 13-031	PROJECT	NAME:	South (County	Water	Services	Replacement
TO: JOHNSO	DN-DAVIS INCOI	RPORATED (Na	ame of Pr	ime Bidde	er)			
The undersigned	ed is certified by	Palm Beach	County a	is a(n) - (d	check one	e or mor	e, as applic	cable):
Small E	Business Enterpr	ise X		Minor	ity Busine	ess Ente	rprise	
Black His	spanic Wor	nen Ca	aucasian	X_Oth	er (Pleas	e Specif	y)	
Date of Palm B	Beach County Ce	rtification:	August 9	, 2013				
The undersigned (Specify In deta	l is prepared to per til, particular work	form the follo	wing descr ts thereo	ribed work f to be per	in connect formed):	ion with t	he above pr	roject
Line Item/Lot No.	Item Description	1	Qty	/ Units	Unit P	rice	Total Pric	e
	PVC Pipe & An	cillary Items			<u></u>		\$75,51	5.30
at the following p	orice 75,5	15.30						
Ψ	(Subcor	ntractor's quo	te)					
Beach County.	nto a formal agree ntends to sub-sub- uch subcontract m	contract any	portion of	this subco	ntract to a	non-cer	tified SBE s	
The undersigne subcontractor from	ed subcontractor upon providing quota	inderstands tions to other	that the p bidders	Uti	lity Suppl	Y Assoc	iates, Inc. BE Subcont MAMM	tractor)
	·				ank Mari			
06							n executing contractor)	on
Mat.	Synhiar 45 ana 18				۸~	ust 7, 20	14.4	
= .	45 200 18			Date:	Augi	usi /, 20	, (

AUTHORIZATION STATUS REPORT

SUMMARY AND STATUS OF AUTHORIZATIONS

Auth.			Project	Date	WUD No.	Consultant's
No.	Description	Status	Total Amount	Approved	Assigned	Project No.
1	Temple Boulevard West of 140 th Avenue North Water Main extension	Approved	\$121,023.59	5/21/2013	13-023	
1.1	Temple Boulevard West of 140 th Avenue North Water Main extension	Pending	8,944.07		13-023	
2	Atlantic Ave., FL's Turnpike to Hagen Ranch Rd.; 20" Reclaimed Water Extension	Approved	\$883,227.19	6/18/13	12-085	
3	PBCWUD/ Village of Palm Springs Water Interconnection	Approved	\$79,751.93	7/3/13	11-146	
3.1	PBCWUD/ Village of Palm Springs Water Interconnection	Approved	\$2,421.90	4/16/14	11-146	
4	10 th Avenue North Water Main Extension	Approved	\$177,580.13	7/16/13	12-073	
4.1	10 th Avenue North Water Main Extension	Approved	17,636.40	4/22/14	12-073	
5	El Bosque Way Watermain Extension \$102,498.12	cancelled	-	cancelled	13-040	
6	14 th Road South Water Main Extension	Approved	\$38,853.64	01/14/14	13-066	
7	Sanitary Sewer Extension Phase II – Boardman Rd. and Crandon Ave.	Approved	\$306,216.76	3/11/14	13-078	
8	14 ⁱⁿ Road South Sewer Main Extension	Approved	\$83,802.29	3/11/14	13-084	
9	SW Belle Glade WM & Services Replacement-Zone 1, Phase 1	Approved	\$198,015.42	3/05/14	13-060	
10	Seminole Pratt-Whitney Rd. From South of Okeechobee Blvd. to North of Sycamore	Approved	\$3,477.60	3/11/14	10-010A	
11	1501 FMR INC 6" FM Relocation, FL Mango and Donna Rd	Approved	\$212,486.54	5/20/14	13-087	
12	South County Water Services Replacement Project- Phase III	Pending	2,318,648.40		13-031	
					*	
		-				
	Total		\$4,452,085.86			·

ATTACMENT H

AUTHORIZATION STATUS REPORT

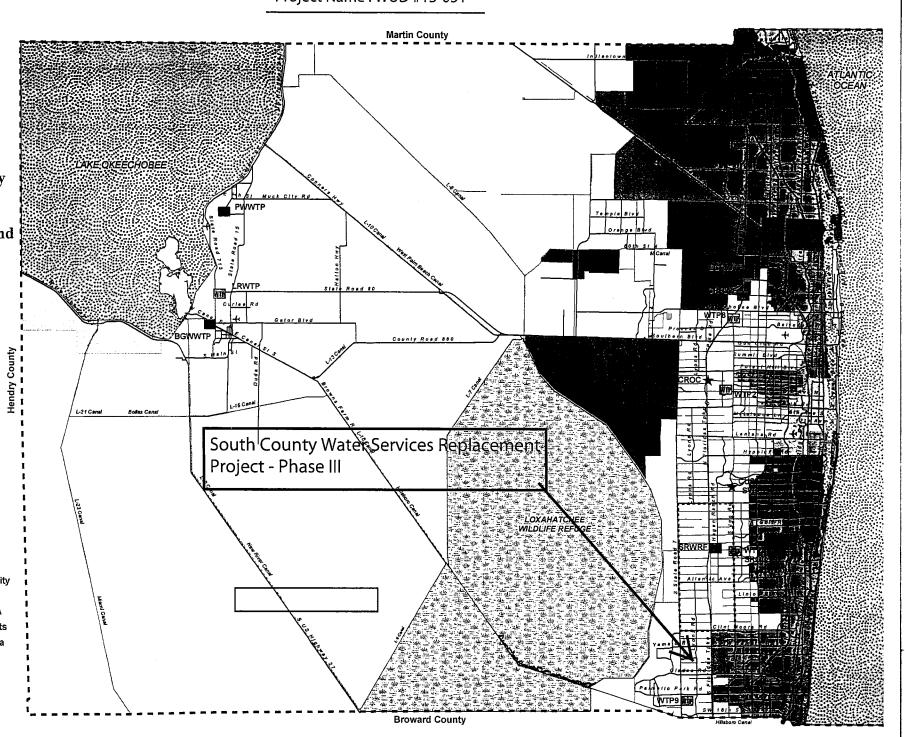
SUMMARY OF SBE / MINORITY BUSINESS TRACKING

	Total	SBE
Current Proposal		
Value of Authorization No. 12	\$2,318,648.40	
Value of SBE - M/WBE Letters of Intent	\$422,699.18	\$422,699.18
Actual Percentage	18.23%	18.23%
Signed Authorizations		
Total Value of Authorizations	\$2,124,493.39	
Total Value of SBE - M/WBE Signed Subcontracts	\$385,101.65	\$385,101.65
Actual Percentage	18.12%	18.12%
Signed Authorizations Plus Current Proposal		
Total Value of Authorizations	\$4,443,141.79	
Total Value of Subcontracts & Letters of Intent	\$807,800.83.	\$807,800.83
Actual Percentage	18.18%	18.18%
GOAL	20.96%	18.18%

ATTACHMENT - IProject Name: WUD #13-031



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



Legend

★ Aministration

Water Treatment Facility

Water Reclaimation Facility

Reclaimation Facility

• • • • Mandatory Reclaimed SA

- - Palm Beach County Limits
P.B.C.W.U.D. Service Area

