

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

Meeting Date: September 27, 2016

**Consent [X]
Public Hearing []**

Regular []

Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Work Authorization (WA) No. 1 for Water Treatment Plant (WTP) No. 8, 12" Force Main along Jog Road (Project) with Johnson-Davis Incorporated in the amount of \$326,311.48.

Summary: On July 12, 2016, the Board of County Commissioners (BCC) approved the Pipeline Continuing Construction Contract (Contract) with Johnson-Davis Incorporated (R2016-0902). WA No. 1 provides for the installation of approximately 3,290-ft of 12" wastewater force mains along Jog Road from Belvedere Road to WTP No. 8. The Project will upsize existing wastewater mains and provide a new pipeline route to improve efficiency in the existing system. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Johnson-Davis Incorporated provides for SBE participation of 3.28%. Work Authorization No. 1 includes 16.43% overall participation. The cumulative SBE participation, including WA No. 1 is 16.43% overall. Johnson-Davis Incorporated is a Palm Beach County company. The Project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 14-048) District 2 (MJ)

Background and Justification: The existing lift station for WTP No. 8 is being replaced under the WTP No. 8 Anion Exchange System project (R2016-0372). The existing 4" force main for WTP No. 8 is too small for the proposed flow. The existing WTP No. 8 force main alignment is between homes in the Cam Estates sub-division, which is not desirable. The new 12" force main will be installed parallel to Jog Road and will connect to an existing 12" force main at the intersection of Jog Road and Belvedere Road.

Attachments:

1. Location Map
2. Two (2) Original Work Authorization No. 1

Recommended By: _____


Department Director

9-19-16
Date

Approved By: _____


Assistant County Administrator

9/26/16
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	\$326,311	0	0	0	0
External Revenues	0	0	0	0	0
Operating Expenses	0	0	0	0	0
In-Kind Match County	0	0	0	0	0
NET FISCAL IMPACT	\$326,311				
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0

Budget Account No.: Fund 4011 Dept 721 Unit W001 Object 6541

Is Item Included in Current Budget? Yes X No

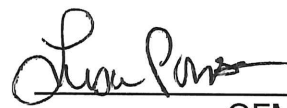
B. Recommended Sources of Funds/Summary of Fiscal Impact:


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

C. Department Fiscal Review: Debra M West

III. REVIEW COMMENTS

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


9/21/16
OFMB 279/20 JAM 9/21


for Edwin Gaismanitz
Contract Development and Control
9/23/16 TW

B. Legal Sufficiency:


9/26/16
Assistant County Attorney

C. Other Department Review:

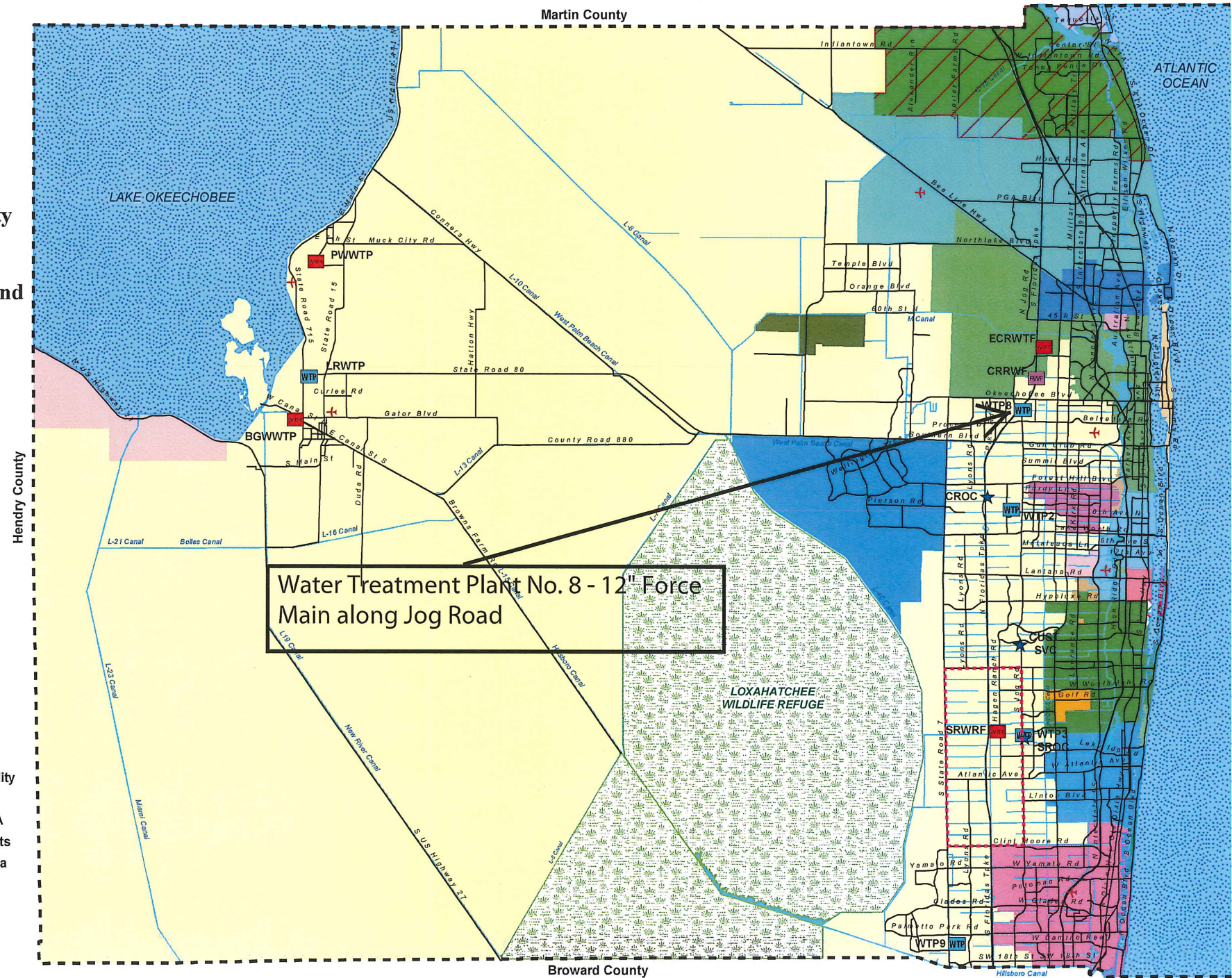
Department Director



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

Legend

- ★ Administration
- WTP Water Treatment Facility
- WRF Water Reclamation Facility
- RAVF Reclamation Facility
- Mandatory Reclaimed SA
- - - - - Palm Beach County Limits
- Yellow P.B.C.W.U.D. Service Area



WORK AUTHORIZATION NO. 01

Palm Beach County Water Utilities Department
Pipeline Continuing Construction Contract 16-013

Project Title: Water Treatment Plant No. 8-12" Force Main along Jog Road

Project No. WUD 14-048

District: 2

Budget Line Item No.: 4011-721-W001-6541

THIS AUTHORIZATION No.01 to the Contract for Construction Services dated July 12, 2016 (R2016-0902), by and between Palm Beach County and the Contractor identified herein, is for the Construction Services of this Work Authorization. The Contract provides for 3.28% SBE participation overall. This Work Authorization includes 16.43% overall participation. The cumulative proposed SBE participation, including this authorization is 16.43% 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 150 Calendar Days
Final Construction Completion 180 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 \$326,311.48
 7. EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED, all other terms, conditions and obligations of the Contract dated July 12, 2016 remain in full force and effect.
-

WORK AUTHORIZATION NO. 01

Project No. WUD 14-048

Project Title: Water Treatment Plant No. 8 – 12” Force Main along Jog Road

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: _____
Mary Lou Berger, Mayor

Typed Name: _____
Deputy Clerk

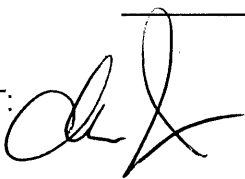
Date JCS

Approved as to Form and Legal
Sufficiency

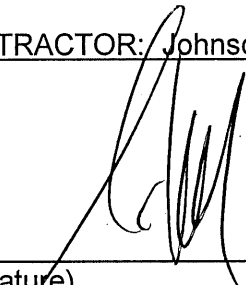
Signed: _____

Typed Name: _____
County Attorney

CONTRACTOR: Johnson-Davis, Inc.

ATTEST: 

Witness



(Signature)

DAVID JOHNSON, SECRETARY
(Name and Title)

SCOTT JOHNSON, PRESIDENT
(Name and Title)

(CORPORATE SEAL)

7/21/14
Date

LIST OF ATTACHMENTS

WORK AUTHORIZATION NO. 01

**Palm Beach County Water Utilities Department
Pipeline Continuing Construction Contract 16-013**

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
ATTACHMENT – I	Location Map

ATTACHMENT A

WORK AUTHORIZATION NO. 01

**Palm Beach County Water Utilities Department
Pipeline Continuing Construction Contract 16-013**

SCOPE OF WORK FOR

Water treatment Plant No. 8 – 12” Force Main along Jog Road

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 16-013 (CONTRACT) with Johnson-Davis Incorporated (CONTRACTOR) to provide construction services for various general activities on the Pipeline Continuing Construction Contract dated July 12, 2016, (R2016 - 0902). This Work Authorization will be performed under that CONTRACT.

This Work Authorization encompasses providing services related to Water Treatment Plant No. 8 – 12” Force Main along Jog Road.

SCOPE OF SERVICES

Contractor shall perform the engineering Scope of Services as described here Water Treatment Plant No. 8 -12” Force Main along Jog Road which includes approx. 2, 840 lf of 12” PVC and DIP pipe, approx.450 lf of 12” HDPE HDD, 12” aerial crossing and associated appurtenances and restoration.

COMPENSATION

Compensation shall not exceed \$326,311.48 in accordance with the unit prices established in the Contract for construction services dated July 12, 2016 as approved by the Board of County Commissioners.

SBE PARTICIPATION

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).

ATTACHMENT B

WORK AUTHORIZATION NO. 01

**Palm Beach County Water Utilities Department
Pipeline Continuing Construction Contract 16-013**

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



Liberty Mutual Surety

July 18, 2016

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

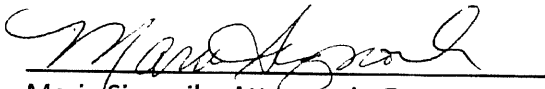
Re: Public Construction Bond #016069828 – Johnson-Davis, Incorporated

As the Surety Company for Johnson-Davis, Incorporated, permission is hereby granted for Palm Beach County to date the Bond, Power of Attorney, the Form of Guarantee and the Power of Attorney for the Form of Guarantee for the referenced bond(s) 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

PUBLIC CONSTRUCTION BOND

BOND NUMBER: 016069828

BOND AMOUNT: \$326,311.48

CONTRACT AMOUNT: \$326,311.48

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 force mains, reclaimed water mains and all associated appurtenances.

COUNTY'S PROJECT NUMBER: WUD 14-048, Work Authorization Number 01

PROJECT LOCATION: District 2

LEGAL DESCRIPTION: Water Treatment Plant No. 8 – 12" Force Main along Jog Road.

WUD 14-048

Property Control Numbers: PBC Eng. Retention area PCN 00-42-43-27-05-004-0072, PBC WUD Hiatus Track PCN 00-42-43-27-00-000-7010, LWDD L-2 Canal 00-42-43-27-00-000-1090, and PBC WUD Water Treatment Plant No. 8 1500 North Jog Road PCN 00-42-43-27-05-004-0053

PUBLIC CONSTRUCTION BOND

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Authorization dated on _____, 20__.

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

Three Hundred Twenty Six Thousand Three Hundred Eleven and 48/100 Dollars (\$326,311.48)
(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 July 12, 2016, entered into a contract with the County for

Project Name: Pipeline Continuing Construction Contract 2016
Project No.: WUD 16-013
Project Description: Installing raw water mains, potable water mains, fire hydrants, water services lines, wastewater force mains, 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 Utility Department
Location of Firm: 8100 Forest Hill Boulevard, West Palm Beach, FL 33413
Phone: (561) 493-6000
Fax: (561) 493-6133

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:

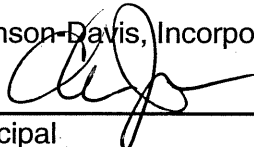
1. Performs the contract dated July 12, 2016, between Principal and County for the design and construction of Water Treatment Plant No. 8 – 12” Force Main along Jog Road. Work Authorization No. 01, WUD 14-048 , the contract being made a part of this bond by reference, at the times and in the manner prescribed 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 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.

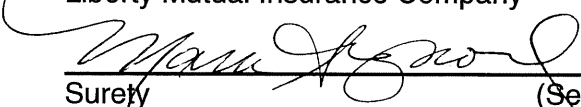

Witness

LARISA DITH PELKEY
Print name

Johnson-Davis, Incorporated

Principal (Seal)
MORRIS JOHNSON
Print name
SECTY/TREASURER
Title


Witness

RYAN SKIBBA
Print name

Liberty Mutual Insurance Company

Surety (Seal)
MARIA SIGNORILE
Print name
Attorney-in-Fact
Title

American Fire and Casualty Company
The Ohio Casualty Insurance Company

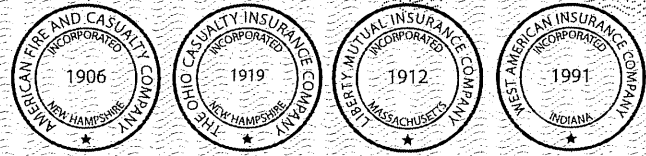
Liberty Mutual Insurance Company
West American Insurance Company

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 and appoint, 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 29th day of April, 2016



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

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA -ss
COUNTY OF MONTGOMERY

On this 29th day of April, 2016, 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 Insurance 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.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

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.

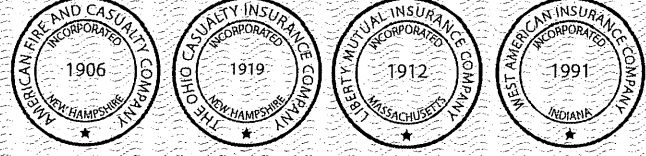
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as 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-in-fact 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 obligations.

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 _____, 20____.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

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

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

FORM OF GUARANTEE

Bond Number: 016069828

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 2016, Project Number WUD 16-013, Work Authorization Number 01, WUD 14-048**, 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 Final 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.

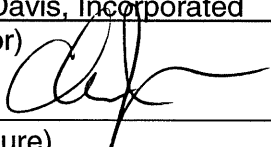
In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed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

County and (contractor, engineer, architect as applicable) agree that the provisions of Florida Statute Chapter 558 shall not apply to this (contract, agreement as applicable).

DATED _____
(notice of completion filing date)


SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY

Johnson-Davis, Incorporated (Seal)
(Contractor)

By: 
(Signature)

CHRIS JOHNSON, SURETY/SEAL
(Printed Name)

Liberty Mutual Insurance Company (Seal)
(Surety)

By: 
(Signature)

Maria Signorile, Attorney-in-Fact
(Printed Name)

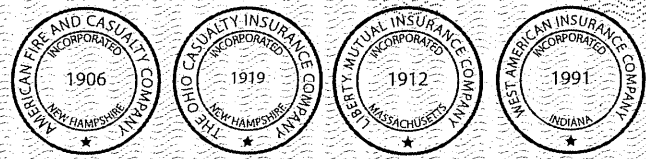
END OF SECTION

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 and appoint, 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 29th day of April, 2016



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

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 29th day of April, 2016, 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 Insurance 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.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

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.

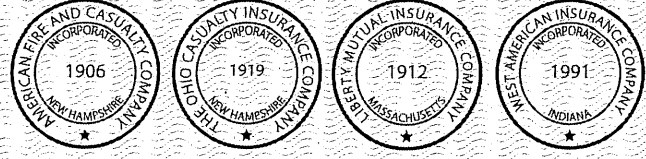
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as 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-in-fact 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 obligations.

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 _____, 20_____.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

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

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

ATTACHMENT E

SCHEDULE OF BID ITEMS

Palm Beach County Water Utility Department
Pipeline Continuing Construction Contract - WUD 16-013

Work Authorization No.: 01
Contractor Name: Johnson-Davis Inc.
Project Name: Water Treatment Plant No. 8 - 12" Force Main along Jog Road
Project No.: WUD 14-048

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
13	12" PVC Push-On Joint Water Main/Wastewater Force Main/Reclaimed Water Main	2,170	L.F.	\$34.00	\$73,780.00
15	12" DIP Push-On Joint Wastewater Force Main	670	L.F.	\$75.00	\$50,250.00
30	Ductile Iron Fittings for Wastewater Force Main	1	Tons	\$8,000.00	\$8,000.00
35	12" HDPE Directional Drill Water Main//Reclaimed Water Main/Wastewater Force Main	450	L.F.	\$100.00	\$45,000.00
54	12" DIP/PVC x HDPE Adapter	2	Each	\$725.00	\$1,450.00
62	12" Mechanical Joint Restraint for DIP	20	Each	\$400.00	\$8,000.00
70	12" Mechanical Joint Restraint for PVC	18	Each	\$425.00	\$7,650.00
79	12" Joint Restraint Gasket (Field Lock or Fast Grip)	5	Each	\$180.00	\$900.00
87	12" PVC Pressure Pipe Restraint Harness	5	Each	\$275.00	\$1,375.00
106	12" Gate Valve & Valve Box	2	Each	\$2,050.00	\$4,100.00
138a	Aerial Crossing Complete (12" Wastewater Force Main, up to 20' Long)	1	Lump Sum	\$43,500.00	\$43,500.00
187	4" to 12" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint Restraint for existing pipe to be included)	1	Each	\$2,800.00	\$2,800.00
207	Concrete Sidewalk Removal & Restoration	10	Sq. Yd.	\$50.00	\$500.00
210	Floritam Sod	2,875	Sq. Yd.	\$5.00	\$14,375.00
211	Bahia Sod	4,160	Sq. Yd.	\$4.00	\$16,640.00
214	Record Drawing	3,290	L.F.	\$2.00	\$6,580.00
215	Construction Survey	3,290	L.F.	\$2.00	\$6,580.00
216	Preconstruction Video Taping	3,290	L.F.	\$0.50	\$1,645.00
219	Maintenance of Traffic Arterial Roadway	2,480	L.F.	\$2.00	\$4,960.00
221	Density Tests	28	Each	\$35.00	\$980.00
222	Proctor Tests	2	Each	\$90.00	\$180.00
223	Concrete 12"x6" Cylinder Tests	4	Each	\$75.00	\$300.00
225	Demucking with Imported Clean Fill	20	Cu. Yd.	\$20.00	\$400.00
230	Compacted Clean Fill	20	Cu. Yd.	\$12.00	\$240.00
	SUBTOTAL BASE BID PRICE (Item 1-286)				\$300,185.00
NO.	ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION	QUANTITY	UNIT	UNIT PRICE	
287	Additional work not included in Bid Items (Max 15% of Subtotal Base Bid Price)	1	Lump Sum	\$15,620.00	\$15,620.00
288	Mobilization (2.5% of Subtotal Base Bid Price)	1	Lump Sum	2.5%	\$7,504.63
289	Demobilization (1.0% of Subtotal Base Bid Price)	1	Lump Sum	1.0%	\$3,001.85
	SUBTOTAL ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION BID PRICE (Item 287-289)				\$26,126.48
	TOTAL BID PRICE				\$326,311.48

Work Authorization No.: 01
Contractor Name: Johnson-Davis Inc.
Project Name: Water Treatment Plant No. 8 - 12" Force Main along Jog Road
Project No.: WUD 14-048

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
NO.	ADDITIONAL WORK not included I Bid Items	QUANTITY	UNIT	UNIT PRICE	
287a	Dowel & Connect to Existing Aerial Crossing	1	Lump Sum	\$4,500.00	\$4,500.00
287b	Conflict With Existing 24" RWM	1	Lump Sum	\$3,000.00	\$3,000.00
287c	Vac Trucks For Connection To Existing Main	5.0	Hours	\$200.00	\$1,000.00
287d	Dewatering in Detention Area	1,780	L.F.	\$4.00	\$7,120.00
	SUBTOTAL ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION BID PRICE (Item 287-289)				\$15,620.00

Notes

- 1) Plans do not indicate and prices do not include restraint of existing pipe.
- 2) Sod quantities are calculated at 20' wide. We will try to limit damage but due to the location of the main, it may also overrun.
- 3) Plans indicate our work to be far enough away from existing utility poles to avoid support. If support is necessary it will be extra.
- 4) Dewatering may be required due to the elevation of the detention area and rainfall amounts.
- 5) A small amount of demucking and compacted clean fill were added as a contingency.

ATTACHMENT F

SCHEDULE 2

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

PROJECT NO. WUD 14-048 PROJECT NAME: Water Treatment Plant No. 8-12" Force Main along Jog Road

TO: Johnson - Davis 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: 6/22/15 - 6/21/18

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>CONSTRUCTION STAKING</u>			
	<u>\$ AS-BUILTS</u>			

at the following price

\$ 6300.00
(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

MICHAEL B. SCHORAH + ASSOC INC
(Print Name of SBE-M/WBE Subcontractor)

By: Michael B Schorah
(Signature)

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

Date: 7/20/16

ATTACHMENT F

SCHEDULE 2

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

PROJECT NO. WUD 14-048 PROJECT NAME: Water Treatment Plant No. 8-12" Force Main along Jog Road

TO: Johnson-Davis, 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: 10/9/15-10/8/18

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
138A	Aerial Crossing 12" Wastewater Pipe to 20' Long	1	\$32,500.00	\$32,500.00

at the following price \$ Thirty Two Thousand Five Hundred Dollars and No Cents
(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

Palmwood Corporation, Inc.
(Print Name of SBE-M/WBE Subcontractor)

By: [Signature]
(Signature)

John P. Cherry / President
(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Date: 7/21/16

ATTACHMENT F

SCHEDULE 2

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

PROJECT NO. WUD 14-048 PROJECT NAME: Water Treatment Plant No. 8-12" Force Main along Jog Road

TO: Johnson Davis
(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: Aug 7, 2013

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>210</u>	<u>Floratan Sod</u>	<u>2875 sq</u>	<u>\$2.70</u>	<u>7,762.50</u>
<u>211</u>	<u>Bahia Sod</u>	<u>4160 sq</u>	<u>1.70</u>	<u>7,072.00</u>

at the following price 14,834.50
\$ (Subcontractor's quote)

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

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

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

Agricultural Land Services Inc.
(Print Name of SBE-M/WBE Subcontractor)

By: [Signature]
(Signature)

Bob G. Lines, Trac.
(Print name/title of person executing on
behalf of SBE-M/WBE Subcontractor)

Date: 7-21-14

ATTACHMENT F

SCHEDULE #1

LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS

PROJECT NAME:

Water Treatment Plant No. 8 - 12" Force Main along Jog Road

PROJECT NUMBER:

WUD 14-048

NAME OF PRIME BIDDER:

Johnson-Davis Incorporated

ADDRESS:

604 Hillbrath Drive, Lantana, FL 33462

CONTACT PERSON:

Bernie Vito

PHONE NO.

561-588-1170

FAX NO.

561-585-5252

BID OPENING DATE:

DEPARTMENT

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES							
Name, Address and Telephone Number of Minority Contractor	(Check one or both Categories)		Black	Hispanic	Women	Dollar Amount	
	Minority Business	Small Business				Caucasian	Other (Please Specify)
Michael B. Schorah & Associates Inc. Ph: 561-968-0080 1850 Forest Hill Blvd., Ste 206, West Palm Beach, FL 33406	<input type="checkbox"/>	<input checked="" type="checkbox"/>				\$6,300.00	\$
Palmwood Corporation Inc. Ph: 561-844-8740 831 W 13th Ct., West Palm Beach, FL 33404	<input type="checkbox"/>	<input checked="" type="checkbox"/>				\$32,500.00	\$
Agricultural Land Services Inc. Ph: 561-732-6105 12265 State Road 7, Boynton Beach, FL 33473	<input type="checkbox"/>	<input checked="" type="checkbox"/>				\$14,834.50	\$
	<input type="checkbox"/>	<input type="checkbox"/>					
	<input type="checkbox"/>	<input type="checkbox"/>					
	<input type="checkbox"/>	<input type="checkbox"/>					
	<input type="checkbox"/>	<input type="checkbox"/>					
PRIME CONTRACTOR TO COMPLETE:	TOTAL		\$0.00	\$0.00	-	\$53,634.50	\$ -
BID PRICE: \$ 326,311.48	Total Value of SBE Participation:		\$53,634.50				

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 th eappropriate category.

3. M/WBE information is being collected for tracking purposes only.

SUMMARY AND STATUS OF AUTHORIZATIONS

Revised (12-9-14)

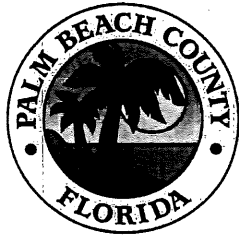
ATTACMENT H

AUTHORIZATION STATUS REPORT

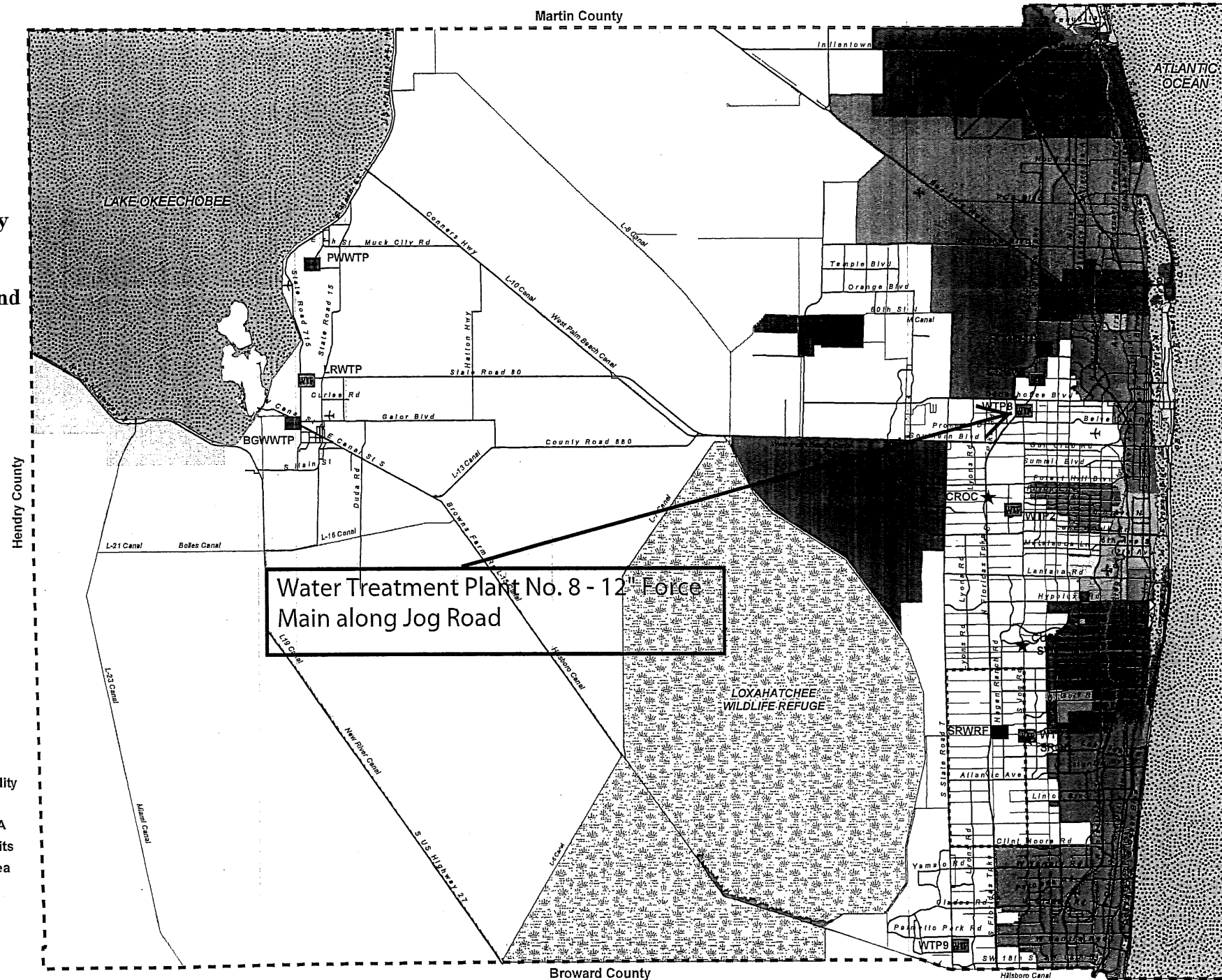
SUMMARY OF
SBE / MINORITY BUSINESS TRACKING

	Total	SBE
Current Proposal 01		
Value of Authorization No. 01	\$326,311.48	
Value of SBE - M/WBE Letters of Intent	\$53,634.50	\$53,634.50
Actual Percentage	16.43%	16.43%
Signed/Approved Authorizations		
Total Value of Authorizations	\$0.00	
Total Value of SBE - M/WBE Signed Subcontracts	\$0.00	\$0.00
Actual Percentage	0.00%	0.00%
Signed/Approved Authorizations Plus Current Proposal		
Total Value of Authorizations	\$326,311.48	
Total Value of Subcontracts & Letters of Intent	\$53,634.50	\$53,634.50
Actual Percentage	16.43%	16.43%
GOAL	15.43%	16.43%

Project Name : WUD #14-048



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



Legend

- ★ Administration
- WTF Water Treatment Facility
- WRF Water Reclamation Facility
- RF Reclamation Facility
- Mandatory Reclaimed SA
- - - Palm Beach County Limits
- P.B.C.W.U.D. Service Area



NOT TO SCALE