

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY



Meeting Date: Oct 18, 2016

Consent [X]
Public Hearing []

Regular []

Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

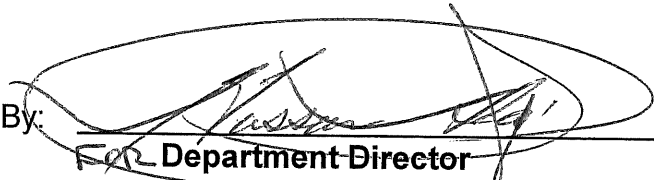
Motion and Title: Staff recommends motion to approve: Work Authorization (WA) No. 5 for the Emergency 30" Force Main Repair on 40th Street North (Project) with Johnson-Davis Incorporated in the amount of \$657,444.19.

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. 5 provides for the repair of approximately 1,000 ft. of 30" wastewater force mains along 40th Street North west of 110th Avenue North. The Project will replace an existing 30" PVC force main with a new 30" ductile iron force main. The Project is necessary to provide for infrastructure improvements due to the failure of the previous force main and to provide greater resiliency for the infrastructure in the area. The failure is believed to have occurred due to the presence of a rock layer in the area that the pipe was imbedded in causing stress on the PVC. 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%. Johnson-Davis, Incorporated initially submitted the bid to provide for SBE participation of 15.43% but after the Office of Small Business Assistance review, their SBE participation was reduced to 3.28% due to their two subcontractors not being certified to perform the work as stated on the contract at the time of bidding. One of the subcontractors has now been certified and another subcontractor is in the process of being certified, which will increase Johnson-Davis, Incorporated SBE participation percentage to the initial bid submittal amount of over 15%. Work Authorization No. 5 includes 4.19% overall participation. The cumulative SBE participation, including WA No. 5 is 8.28% overall. Johnson-Davis Incorporated is a Palm Beach County company. The Project is included in the FY17 Capital Improvement Plan adopted by the BCC. (WUD Project No. 16-093) District 6 (MJ)

Background and Justification: On September 4, 2016, a wastewater force main failed along 40th Street North, resulting in the discharge of wastewater within the surrounding area. The Project will provide for permanent repairs to improve the wastewater infrastructure of the area. Ductile iron pipe will be utilized to replace the previous PVC pipe to provide for additional infrastructure resilience.

Attachments:

1. Location Map
2. Two (2) Original Work Authorization No. 5

Recommended By:  FOR Department Director Date: OCT. 11, 2016

Approved By:  Deputy County Administrator Date: 10-17-16

TWP 43

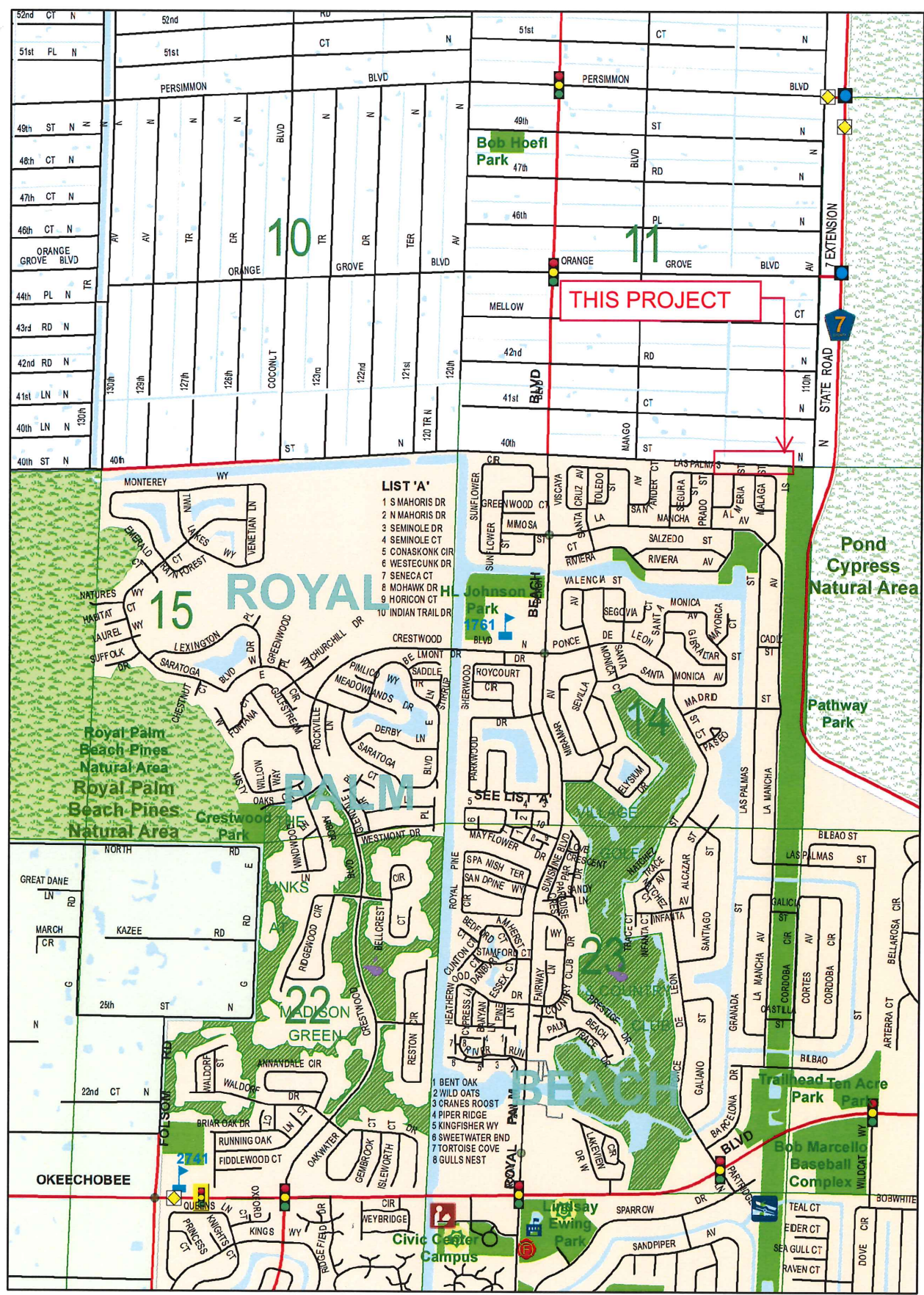
TWP 43

TWP 43

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17

18



WORK AUTHORIZATION NO. 05

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

Project Title: Force Main Replacement on 40th St. North

Project No. WUD 16-093

District: 6

Budget Line Item No.: 4011-721-W031-6547

THIS AUTHORIZATION No.05 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 4.19% overall participation. The cumulative proposed SBE participation, including this authorization is 8.28% 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:
\$1,500.00 per day past substantial completion date.
\$1,000.00 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 \$657,444.19
 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. 05

Project No. WUD 16-093

Project Title: Force Main Replacement on 40th St North

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

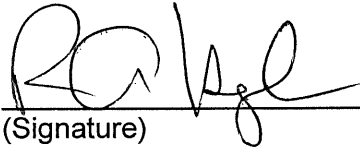

Approved as to Form and Legal
Sufficiency

Signed: _____

Typed Name: _____
County Attorney

CONTRACTOR: Johnson-Davis, Inc.

ATTEST: 



(Signature)

Witness

CHRIS JOHNSON, STAY/STEPS.
(Name and Title)

ROBERT A. WOPNER, V.P.
(Name and Title)

(CORPORATE SEAL)

10/24/16
Date

LIST OF ATTACHMENTS

WORK AUTHORIZATION NO. 05

**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. 05

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

SCOPE OF WORK FOR

Force Main Replacement on 40th St North

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 Force Main Replacement on 40th St North

SCOPE OF SERVICES

Contractor shall perform the engineering Scope of Services as described here Force Main Replacement on 40th St North which includes Furnish & Install appx. 1,000 Lf. of 30" DIP Force Main, TWO 30" Gate Valves, removal of ONE 12" Check Valve replaced with 12" Gate Valve, 12" Temporary Bypass and associated appurtenances and restoration.

COMPENSATION

Compensation shall not exceed \$657,444.19 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. 05

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

October 4, 2016

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

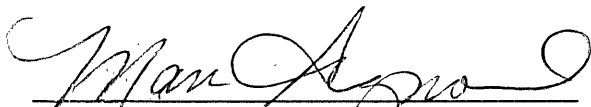
Re: Public Construction Bond #016071638 – Johnson-Davis, Incorporated

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 – WORK AUTHORIZATION NO. 05 WUD 16-093
TO CONTINUING CONTRACT NO. WUD 16-013

BOND NUMBER: 016071638

WORK AUTHORIZATION/BOND AMOUNT: \$657,444.19

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: Force Main Replacement on 40th Street which includes Furnish & Install appx. 1,000 Lf. Of 30" DIP Force Main, TWO 30" Gate Valves, removal of ONE 12" Check Valve replaced with 12" Gate Valve, 12" Temporary Bypass and associated appurtenances and restoration.

COUNTY'S PROJECT NUMBER: WUD 16-093

PROJECT LOCATION: District 6

LEGAL DESCRIPTION: 40th St N, WO FPL Easement; Section 11 & 14, Township 43, Range 41

PUBLIC CONSTRUCTION BOND

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Work Authorization No. 05, to Continuing Contract No. WUD 16-013 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

Six Hundred Fifty Seven Thousand Four Hundred Forty Four and 19/100 Dollars (\$657,444.19)
(Here insert a sum equal to the Work Authorization/Bond Amount from page 1)

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 Work Authorization No. 03 to Continuing Contract No. WUD 16-013 with the County for

Work Authorization Project Name: Force Main Replacement on 40th St. North
Work Authorization Project No.: WUD 16-093
Project Description: Furnish & Install appx. 1,000 Lf. Of 30" DIP Force Main, TWO 30" Gate Valves, removal of ONE 12" Check Valve replaced with 12" Gate Valve, 12" Temporary Bypass and associated appurtenances and restoration.
Project Location: District 6

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 Work Authorization No. 05, to Continuing Contract No. WUD 16-013 is by reference made a part hereof in its entirety, and is hereinafter referred to as the Work Authorization.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the Work Authorization dated July 12, 2016, between Principal and County for the design and construction of Force Main Replacement on 40th St. North Project, WUD 16-093, the Work Authorization being made a part of this bond by reference, at the times and in the manner prescribed in the Work Authorization; 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 Work Authorization; 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 Work Authorization; and

4. Performs the guarantee of all work and materials furnished under the Work Authorization for the time specified in the Work Authorization, 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 Work Authorization 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.

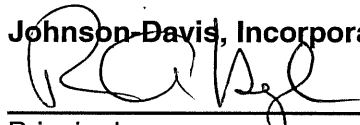
7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the Work Authorization are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any 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.

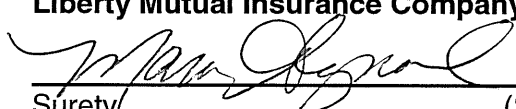

Witness

Lorisa Dina Petrey
Print name

Johnson-Davis, Incorporated

Principal (Seal)
ROBERT A. MORERA
Print name
Vice President
Title


Witness

Ryan Skibba
Print name

Liberty Mutual Insurance Company

Surety (Seal)
Maria Signorile
Print name
Attorney-in-Fact
Title

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. 7350824

American Fire and Casualty Company
The Ohio Casualty Insurance Company

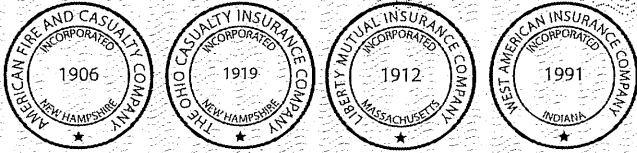
Liberty Mutual Insurance Company
West American Insurance Company

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: 016071638

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 05, WUD 16-093**, 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.

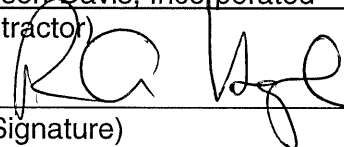
In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed 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)

ROBERT A. KOOLER, J.P.
(Printed Name)

Liberty Mutual Insurance Company (Seal)
(Surety)

By: 
(Signature)

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

END OF SECTION

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. 7350817

American Fire and Casualty Company
The Ohio Casualty Insurance Company

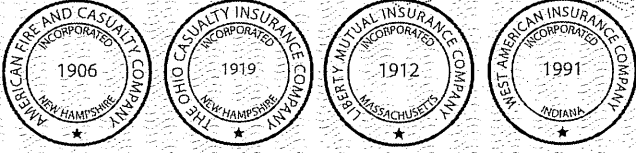
Liberty Mutual Insurance Company
West American Insurance Company

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.

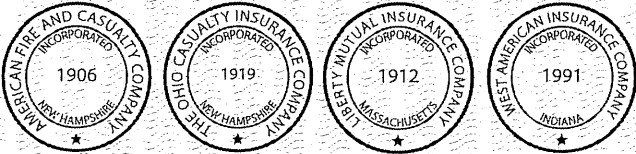
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as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

ATTACHMENT E

SCHEDULE OF BID ITEMS

Palm Beach County Water Utility Department
Pipeline Continuing Construction Contract - WUD 16-093

Work Authorization No.: 05

Contractor Name: Johnson-Davis Inc.

Project Name: Force Main Replacement on 40th St North

Project No.: WUD 16-093

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	1,015	L.F.	\$34.00	\$34,510.00
27	30" DIP Push-On Wastewater Force Main	980	L.F.	\$350.00	\$343,000.00
30	Ductile Iron Fittings for Wastewater Force Main	2	Tons	\$8,000.00	\$14,400.00
65	24" Mechanical Joint Restraint for DIP	13	Each	\$1,000.00	\$13,000.00
66	4" Mechanical Joint Restraint for PVC	2	Each	\$165.00	\$330.00
70	12" Mechanical Joint Restraint for PVC	10	Each	\$425.00	\$4,250.00
74	30" Mechanical Joint Restraint for PVC	1	Each	\$1,600.00	\$1,600.00
82	24" Joint Restraint Gasket (Field Lock or Fast Grip)	10	Each	\$800.00	\$8,000.00
97	Restrain existing 12" PVC Pressure Pipe	6	Each	\$1,600.00	\$9,600.00
102	4" Gate Valve & Valve Box	1	Each	\$830.00	\$830.00
106	12" Gate Valve & Valve Box	3	Each	\$2,050.00	\$6,150.00
109	24" Gate Valve & Valve Box	2	Each	\$17,000.00	\$34,000.00
160	2" Blow off Piping Assembly with Box	1	Each	\$1,000.00	\$1,000.00
187	4" to 12" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint Restraint for existing pipe to be included)	2	Each	\$2,800.00	\$5,600.00
188	16" to 20" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint Restraint for existing pipe to be included)	2	Each	\$7,000.00	\$14,000.00
201	Concrete Driveway Removal and Restoration	55	Sq. Yd.	\$60.00	\$3,300.00
205	Limerock/Shell Driveway or Roadway Removal and Restoration	500	Tons	\$30.00	\$15,000.00
210	Floritam Sod	100	Sq. Yd.	\$5.00	\$500.00
211	Bahia Sod	1,420	Sq. Yd.	\$4.00	\$5,680.00
214	Record Drawing	995	L.F.	\$2.00	\$1,990.00
215	Construction Survey	995	L.F.	\$2.00	\$1,990.00
216	Preconstruction Video Taping	995	L.F.	\$0.50	\$497.50
217	Mail Box Removal and Reinstallation	4	Each	\$150.00	\$600.00
218	Maintenance of Traffic Residential Street	1,380	L.F.	\$1.00	\$1,380.00
219	Maintenance of Traffic Arterial Roadway	1,000	L.F.	\$2.00	\$2,000.00
221	Density Tests	50	Each	\$35.00	\$1,750.00
222	Proctor Tests	4	Each	\$90.00	\$360.00

Palm Beach County Water Utility Department
 Pipeline Continuing Construction Contract - WUD 16-093

Work Authorization No.: 05

Contractor Name: Johnson-Davis Inc.

Project Name: Force Main Replacement on 40th St North

Project No.: WUD 16-093

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
223	Concrete 12"x6" Cylinder Tests	1	Each	\$75.00	\$75.00
225	Demucking with Imported Clean Fill	1,270	Cu. Yd.	\$20.00	\$25,400.00
231	Protect and Support Poles	1	Each	\$1,500.00	\$1,500.00
269	Silt Fence	980	L.F.	\$1.50	\$1,470.00
	SUBTOTAL BASE BID PRICE (Item 1-286)				\$553,762.50
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	\$84,300.00	\$84,300.00
288	Mobilization (2.5% of Subtotal Base Bid Price)	1	Lump Sum	2.5%	\$13,844.06
289	Demobilization (1.0% of Subtotal Base Bid Price)	1	Lump Sum	1.0%	\$5,537.63
	SUBTOTAL ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION BID PRICE (Item 287-289)				\$103,681.69
	TOTAL BID PRICE				\$657,444.19
NO.	Additional work not included in Bid Items (Max 15% of Subtotal Base Bid Price)	QUANTITY	UNIT	UNIT PRICE	
287A	30" Thrust Collar	1	Each	\$10,500.00	\$10,500.00
287B	Substitute 12" HDPE DR 17 IPS for PVC C-900 on Bypass item 13	1,000	L.F.	\$4.00	\$4,000.00
287C	30" Mechanical Joint Restraint for DIP UPSIZE item 65	13	Each	\$600.00	\$7,800.00
287D	30" Joint Restraint Gasket (Bell Harness in lieu of Gasket Restraint due to 30" size) upsize item 82	10	Each	\$1,750.00	\$17,500.00
287E	30" Gate Valve & Valve Box UPSIZE item 109	2	Each	\$16,000.00	\$32,000.00
287F	30" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint	2	Each	\$3,000.00	\$6,000.00
287G	Pump Trucks for FM Tie-Ins	20	Hours	\$200.00	\$4,000.00
287H	Dewatering due to depth of 12 FM	1	Lump Sum	\$1,500.00	\$1,500.00
287I	Protection existing Drainage	1.0	Lump Sum	\$1,000.00	\$1,000.00
	SUBTOTAL ADDITIONAL WORK (Item 287)				\$84,300.00

NOTES:

- 1) Design parameters for Thrust Block in Item 287A is by others.
- 2) Item 287B reflects IPS size pipe. If DIPS pipe is necessary, add \$5.50/l.f.
- 3) Gasket restraints are not guaranteed by pipe manufacturer in 30" size so item 287D reflects an external bell harness.
- 4) Prices are based on concrete thrust blocks being utilized in lieu of restraint at each 12" pipe joint in required restraint length. Blocks to be paid for under item #97 (3 each X \$1,600 = \$4,800/each).

ATTACHMENT F

SCHEDULE #1

LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS

PROJECT NAME: Force Main Replacement on 40th St. North PROJECT NUMBER: WUD 16-093
 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 _____

Name, Address and Telephone Number of Minority Contractor	PLEASE IDENTIFY ALL APPLICABLE CATEGORIES (Check one or both Categories)					Dollar Amount	
	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
Tru Trucking, Inc. Ph: 561-753-6417 PO Box 1058, Loxahatchee, FL 33470	<input type="checkbox"/>	<input checked="" type="checkbox"/>				\$ 27,604.00	\$
	<input type="checkbox"/>	<input type="checkbox"/>				\$	\$
	<input type="checkbox"/>	<input type="checkbox"/>				\$	\$
	<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	\$27,604.00	-	\$0.00	\$ -
BID PRICE: \$ 657,444.19			Total Value of SBE Participation:	\$27,604.00			

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

ATTACHMENT F

SCHEDULE 2

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

PROJECT NO. WUD 16-093 PROJECT NAME: Force Main Replacement on 40th St. North

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: Exp. 10-26-16

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>Base Rock Fill, Ballast on site per quote</u>	<u>1</u>	<u>LS</u>	<u>\$27,604</u>

at the following price \$ Twenty Seven Thousand Six Hundred Four dollars
(Subcontractor's quote) 00 Cents

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

Tru Trucking Inc.
(Print Name of SBE-M/WBE Subcontractor)

By: Caridad Trujillo
(Signature)

Caridad Trujillo-V.P.
(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Date: 10/3/16

ATTACHMENT H

AUTHORIZATION STATUS REPORT

SUMMARY OF SBE / MINORITY BUSINESS TRACKING

	Total	SBE
Current Proposal 05		
Value of Authorization No. 05	\$657,444.19	
Value of SBE - M/WBE Letters of Intent	\$27,604.00	\$27,604.00
Actual Percentage	4.19%	4.19%
Signed/Approved Authorizations		
Total Value of Authorizations	\$425,338.03	
Total Value of SBE - M/WBE Signed Subcontracts	\$62,106.00	\$62,106.00
Actual Percentage	14.60%	14.60%
Signed/Approved Authorizations Plus Current Proposal		
Total Value of Authorizations	\$1,082,782.22	
Total Value of Subcontracts & Letters of Intent	\$89,710.00	\$89,710.00
Actual Percentage	8.28%	8.28%
GOAL	3.28%	8.28%

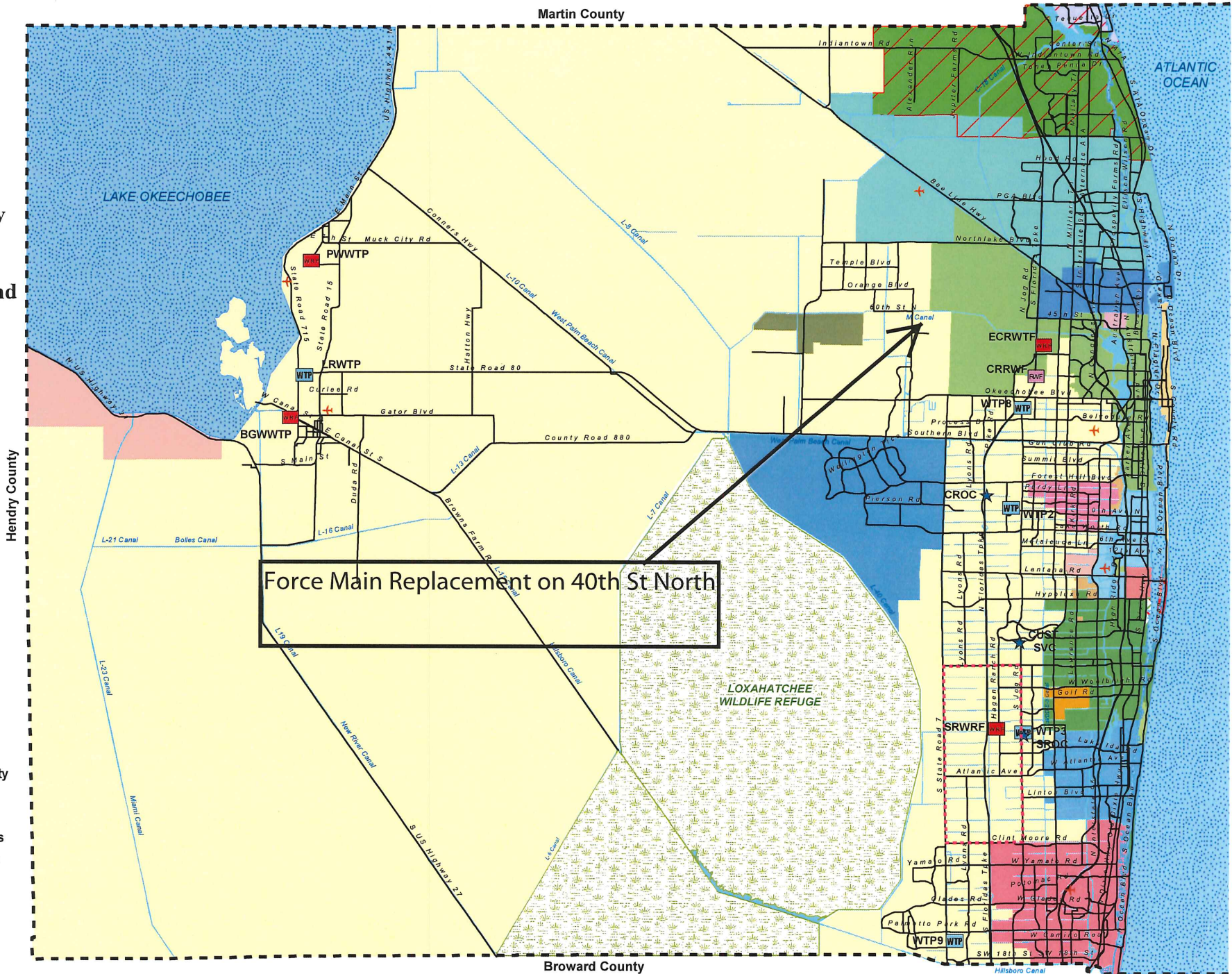
Revised (12-9-14)

ATTACHMENT - I

Project Name : WUD #16-093



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



Force Main Replacement on 40th St North

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

