

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: November 22, 2016

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development and Operations

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** Amendment No. 1 to the contract with The Weitz Company, LLC (R-2016-0763) in the amount of \$346,395 for the North County Government Center Hearing Room #2706 and Secured Corridors project in Palm Beach Gardens establishing a Guaranteed Maximum Price (GMP).

**Summary:** This Amendment authorizes conversion of Hearing Room 2706 to a courtroom and providing improvements to the judicial corridors which will be converted from public access to secured access only. This Amendment is necessary due to an increase in demand for courtrooms, to segregate the Judge's work areas from the public, and to enhance security for the Judges. The duration of construction is 99 days. The Small Business Enterprise (SBE) goal for this contract is 15%. The Weitz Company, LLC's SBE participation for this Amendment is 36.2%. This project was fully funded from the Public Building Improvement Fund in FY16. The Weitz Company, LLC is a Palm Beach County business and it is anticipated that 85% of the work will be performed by Palm Beach County contractors. **(Capital Improvements Division) District 1 (LDC)**

**Background and Justification:** Amendment No. 1 establishes a GMP of \$346,395 and 99 calendar days for completion. The GMP includes the cost of work, the construction manager's fee and a contingency. Construction Manager (CM) at Risk is a project delivery method in which the CM provides design phase assistance, evaluation of cost, schedule and implications of alternate designs, systems and materials, and serves as general contractors issuing the subcontracts for construction.

Attachments:

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

Recommended by: *Joe Army Worf* *10/28/16*  
Department Director Date

Approved by: \_\_\_\_\_  
County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$346,395</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>          </u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>          </u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>          </u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match (County)	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
NET FISCAL IMPACT	<u>\$346,395</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
# ADDITIONAL FTE	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
POSITIONS (Cumulative)	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>

Is Item Included in Current Budget? Yes  X  No       

Budget Account No: Fund  3804  Dept  411  Unit  B605  Object  4907  \$194,285.80  
 Fund  3804  Dept  411  Unit  B606  Object  4907  \$124,000.00  
 Fund  3804  Dept  411  Unit  B502  Object  4907  \$28,109.20

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

Funding for this contract is the Public Building Improvement Fund.

C. Departmental Fiscal Review: \_\_\_\_\_

**III. REVIEW COMMENTS:**

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

\_\_\_\_\_ OFMB Contract Administrator

B. Legal Sufficiency:

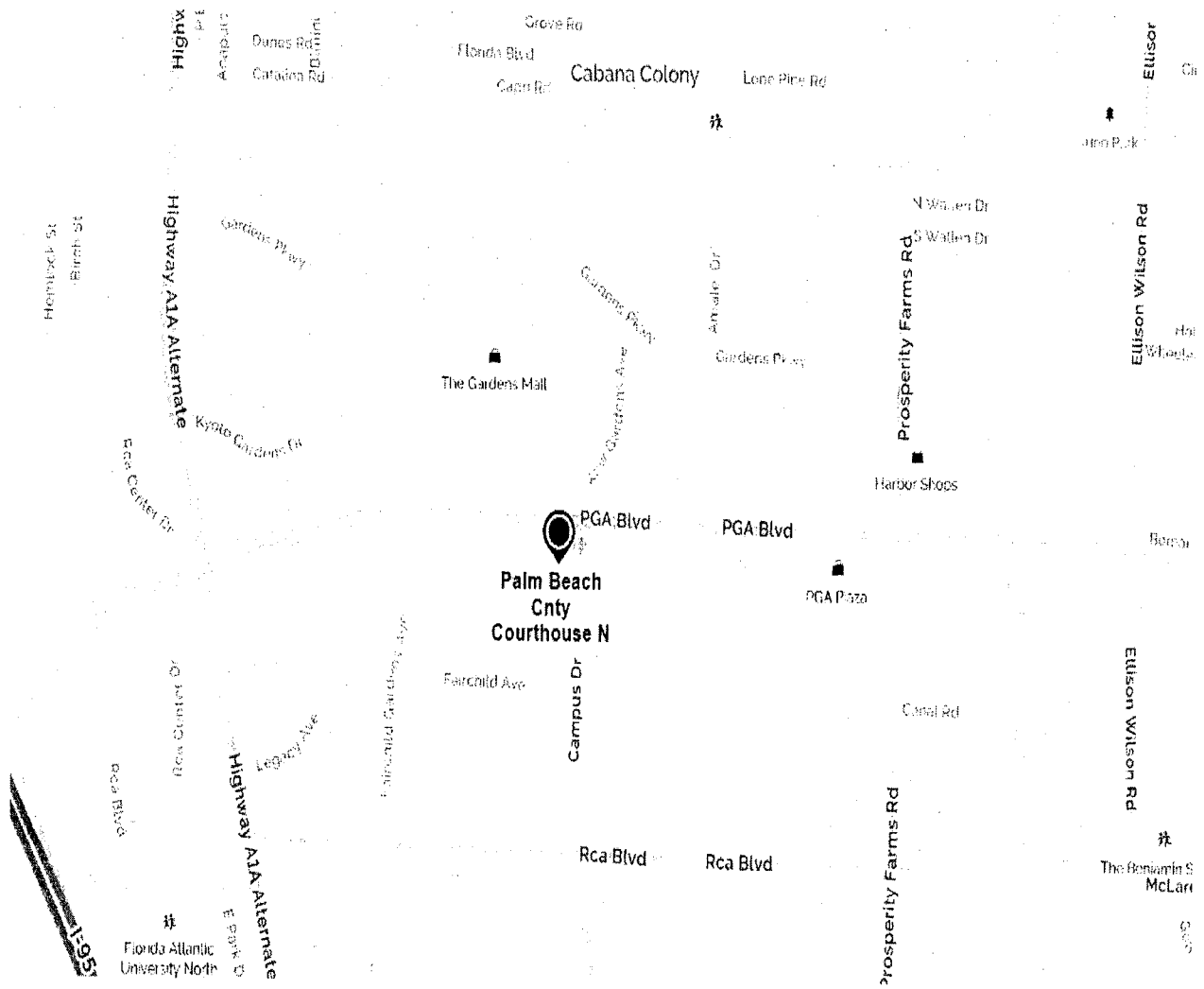
\_\_\_\_\_ Assistant County Attorney

C. Other Department Review:

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

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

# LOCATION MAP



FACILITIES DEVELOPMENT & OPERATIONS  
BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 10/18/16      REQUESTED BY: Mike McPherson      PHONE: 233-0278  
FAX: 233-0270

PROJECT TITLE: North County Gov. Center HR 2706 Renovation      PROJECT NO.: 16206

ORIGINAL CONTRACT AMOUNT: NA - Annual CM      BCC RESOLUTION#: R2016-0763  
REQUESTED AMOUNT: \$346,395      DATE: 06/21/16

CSA or CHANGE ORDER NUMBER: Amendment #1

CONSULTANT/CONTRACTOR: The Weitz Company

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

GMP for construction services.

CONSTRUCTION	\$346,395
PROFESSIONAL SERVICES	_____
STAFF COSTS** (CONSTRUCTION PHASE)	_____
MISC. (permits, prints, advertising, etc)	_____
TOTAL	\$346,395

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

BUDGET ACCOUNT NUMBER (IF KNOWN)

FUND: 3804      DEPT: 411      UNIT: B605      OBJ: 4907 - 194,285.80  
3804      411      B606      4907 - 124,000.00  
3804      411      B502      4907 - 28,109.20

FUNDING SOURCE (CHECK ALL THAT APPLY):  AD VALOREM     OTHER

FEDERAL/DAVIS BACON

BAS APPROVED BY: \_\_\_\_\_ DATE: 10-19-16

ENCUMBRANCE NUMBER: 101616-74



IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY.

ATTEST:  
SHARON R. BOCK, CLERK &  
COMPTROLLER

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

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

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

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

By: Joe Anthony Wolf  
Director - FD&O

WITNESS: FOR CONSTRUCTION MANAGER  
SIGNATURE

[Signature]  
Signature

CONSTRUCTION MANAGER:

[Signature]  
Signature

POUG STRATHIE  
Name (type or print)

Dennis Gallagher  
Name (type or print)

Executive Vice President  
Title

(Corporate Seal)



**BUILD IN  
GOOD COMPANY.**

### GMP Proposal

Project : Hearing Room 2706

EXHIBIT A

Date : 10/18/2016

Document Date: 7/21/16

Line	Bid Ticket	Trade Description	GMP Proposal	Total Project Budget 06/10/2016	Variance	Scope Change
1	01A	Construction Management	\$ 60,767	\$ 60,767	\$ -	
2	01B	General Conditions	\$ 1,479	\$ 1,479	\$ -	
		<b>Subtotal CM &amp; GC</b>	<b>\$ 62,246</b>	<b>\$ 62,246</b>	<b>\$ -</b>	
3	02A	Demolition	\$ -	\$ -	\$ -	
4	02B	Abatement	\$ -	\$ -	\$ -	
5	06A	Rough Carpentry	\$ 15,733	\$ 15,500	\$ 232.52	
6	06D	Finish Carpentry	\$ -	\$ -	\$ -	
7	06E	Millwork	\$ 31,151	\$ 17,383	\$ 13,767.91	Updated pricing from subcontractor.
8	06F	Manufactured Cabinets	\$ -	\$ -	\$ -	
9	06G	Plastic Fabrications & Corian	Included w/06E	\$ -	\$ -	
10	07B	Fireproofing & Firestopping	\$ -	\$ -	\$ -	
11	08A	Doors, Frames & Hardware	\$ 21,442	\$ 13,038	\$ 8,404.14	
12	09C	Drywall	\$ 6,679	\$ 6,679	\$ -	
13	09D	Tilework & Stone	\$ 7,130	\$ 2,636	\$ 4,494.42	Updated with allowance for granite tile and countertops
14	09E	Acoustical Treatment	\$ 4,404	\$ 4,404	\$ -	
15	09G	Carpet & Resilient Flooring	\$ 5,883	\$ 5,085	\$ 798.41	
16	09K	Painting	\$ 7,689	\$ 5,199	\$ 2,489.48	
17	10D	Signage	\$ 254	\$ 254	\$ -	
18	11C	Audio-Visual Equipment	\$ 63,759	\$ 49,938	\$ 13,820.72	Scope Change: Contractor Supplied Equipment
19	12A	Seating	\$ -	\$ -	\$ -	
20	21A	Fire Protection	\$ 4,009	\$ 4,451	\$ (441.95)	
21	23A	HVAC	\$ 11,317	\$ 4,258	\$ 7,059.32	Scope Change @ 1404: Relocate Existing VAV from Corridor 1039 into Room 1404
22	26A	Electrical	\$ 33,292	\$ 61,052	\$ (27,760.25)	
23	28A	Fire Alarm	\$ -	\$ 9,541	\$ (9,541.00)	With 28B Security
24	28B	Security	\$ 32,186	\$ 21,645	\$ 10,541.00	Includes \$1000 Allowance for Card Reader for Door 2707
25		<b>SUBTOTAL</b>	<b>\$ 307,173</b>	<b>\$ 283,309</b>	<b>\$ 23,864</b>	
26		Permits (Application Fee Only) 0.00%	\$ 440	\$ -	\$ 440	Balance of permit fees by owner.
27		General Liability Insurance 1.000%	\$ 3,464	\$ 3,190	\$ 273	
28		Builders Risk Insurance (or DIC) 0.000%	\$ -	\$ -	\$ -	Not Included
29		Builders Risk Insurance Deductible	\$ -	\$ -	\$ -	Not Included
30		Performance Bond 1.000%	\$ 3,464	\$ 3,190	\$ 273	
31		Contractor Contingency 5.000%	\$ 15,359	\$ 14,165	\$ 1,193	
32		Construction Fee 5.000%	\$ 16,495	\$ 15,193	\$ 1,302	
33		<b>TOTAL PROJECT</b>	<b>\$ 346,395</b>	<b>\$ 319,048</b>	<b>\$ 27,346</b>	

**North County Government Center – Hearing Room 2706**

GMP Proposal

October 18, 2016

The Weitz GMP estimate is based on 100% construction documents and specifications dated July 21, 2016 by Leo A. Daly. The scope of work is included as noted below with specific assumptions and clarifications attached.

**Division 01 - General Requirements**

1. General conditions are included for 11 weeks of construction including temporary construction facilities and site operations.
2. The project is anticipated to be constructed from approximately Mid December of 2016 through the beginning of March of 2017. A preliminary construction schedule is attached pending receipt of permit and NTP. This schedule is based on an early release of shop drawings for critical trades prior to the end of October.
3. Permit Fees are excluded and are "By Owner" except for application fee already paid by Weitz.
4. General Liability Insurance and bond is included.
5. A Contractor Contingency is included at 5% of the overall budget.
6. The CM Fee will be equitably adjusted for work adds to the original scope after the scheduled substantial completion date.
7. BIM Coordination and/or 3D Modeling is not included.
8. Overtime/night shift premium is not included.

**Division 02 - Demolition/Abatement**

1. Demolition tasks will be scheduled for daytime operations. Effort will be exerted to minimize disruption to ongoing facilities operations. Demolition tasks may require restricting vehicular and/or pedestrian access. Effort will be exerted to minimize disruption to public access and parking.
2. No Abatement is included.

**Division 06 - Wood, Plastics & Composites**

1. Hardboard Sheeting will be set on the existing floor during the transportation of material in and out of the work areas and removed from common areas when not in use on a daily basis.
2. Clear plastic sheeting will be taped to wall so as to minimize contamination from dust, fingerprints, smudges, scratches etc. and removed from common areas when not in use on a daily basis.
3. Maple veneer wall panels with black stained laminate reveals to match as closely as possible to the existing adjacent courtrooms.
4. Black stained laminate bases to match as closely as possible to the existing adjacent courtrooms.
5. Mock Up as indicated on AE104 is not included.
6. Bullet proof mesh, countertops, millwork are included as indicated in the contract documents.

**Division 07 – Fireproofing & Firestopping**

1. Seal all penetrations in Fire Rated Walls made during the construction process 3M Brand Fire Barrier Caulking

**Division 08 – Doors, Frames & Hardware**

1. Existing 2721 door and frame will be relocated. New door and frame will not be provided.
2. Hardware for door 1404 has been included as hardware group No. 02, not 03 as in the specifications.
3. All doors with electronic mortise locks will be tied into the fire alarm.
4. Card access is not indicated at door 2707 thus is not included (see detail 5 on sheet E202 regarding note to add card access).

**Division 09 – Finishes**

1. All disturbed Drywall to be repaired and/or repaired to match existing finishes.
2. Granite Verde Selva is excluded as it is not currently available and the following allowances –  
Wall tile at \$10.00 per square foot plus tax and delivery  
Slab at \$1,728.00 for Countertop and Cap  
have been included in the GMP.
3. Carpet to the existing Judge's Bench, Clerk's Station and Access Ramp is included to match closely as possible to the existing.
4. Repainting of existing walls to match as closely as possible to the existing.



**North County Government Center – Hearing Room 2706**

GMP Proposal

October 18, 2016

5. Repainting of existing doors and frames to match as closely as possible to the existing.
6. Matching tile base and perimeter floor tile are not included at the access door locations. If no attic stock is available, a substitute will be required. An allowance of \$1,000 is included for tile.

**Division 11 - Equipment**

1. Audio/Visual equipment is included as specified. No other sound systems, televisions or equipment items are included.

**Division 21 – Wet-Pipe Sprinkler Systems**

1. Modification of existing fire sprinkler system as detailed in construction documents.

**Division 23 – HVAC**

1. Modification and relocation of existing HVAC system as detailed in the construction documents.

**Division 26 - Electrical**

1. Safe off all electrical in areas to be demolished.
2. Furnish and install new Exit lights as indicated.
3. Relocate existing lighting, switching and receptacles as indicated.
4. Furnish and install new duplex receptacles and additional branch work as indicated.
5. Connect new power circuits to existing panels as indicated.
6. Furnish and install AI phone cabling and AIPHONEs as indicated.
7. Supply stubs only to accessible ceilings for Telephone, Data AN and Security systems.
8. Relocate power feeders only to new locations for the specified VAV units.
9. Fire Alarm modifications and relay connections to new doors as indicated.
10. The existing fire alarm will need to be test to verify all devices work prior to tying in to system. No remedial work is included in the GMP.
11. Testing of the new or modified fire alarm devices and equipment is included.

**Division 28 – Low Voltage**

1. Tappan Cable. It is assumed Tappan can be purchased from Jade Com. If this is not available, a full spool is not included for purchase.
2. All doors in this agreement with electronic mortise locks will be tied into the fire alarm.
3. Card reader and AIPHONE equipment is included in the GMP.

**SCHEDULE 1**

**LIST OF PROPOSED SBE-M/WBE PRIME AND/OR SUBCONTRACTOR PARTICIPATION**

PROJECT NAME OR BID NAME : North County Government Center - Hearing Room 2706 Renovation PROJECT NO. OR BID NO. : \_\_\_\_\_  
 NAME OF PRIME BIDDER: The Weitz Company, LLC ADDRESS: 3188 PGA Boulevard, Palm Beach Gardens, Florida 33410  
 CONTACT PERSON: Doug Strathie PHONE NO: 561-687-4843 FAX NO: 561-681-3302  
 BID OPENING DATE: \_\_\_\_\_ USER DEPARTMENT: \_\_\_\_\_

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH THE BID PACKET. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SBE-M/WBE SUBCONTRACTORS ON THIS PROJECT. IF THE PRIME IS AN SBE-M/WBE, PLEASE ALSO LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME ON THIS PROJECT

Name, Address and Phone Number	(Check one or both Categories)		DOLLAR AMOUNT OR PERCENTAGE OF WORK				
	<u>M/WBE</u>	<u>SBE</u>	Black	Hispanic	Women	Caucasian	Other (Please Specify)
	Minority Business	Small Business					
Bradford Electric, Inc. 1251 Jupiter Park Drive, Suite 7, Jupiter, Fl. 33458	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____	\$32,800.00	_____
KMI International, Inc. 2501 Park Street, Lake Worth, Fl. 33460	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	\$ 30,000.00	_____	_____	_____
Peerson Audio, Inc. 1235 Park Lane South, Jupiter, Fl. 33458	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____	\$ 62,816.00	_____
(Please use additional sheets if necessary)			Total	_____	\$ 30,000.00	_____	\$95,616.00

Total Bid Price \$ 346,395.00

Total SBE-M/WBE Participation Dollar Amount or Percentage of Work \$ 125,616.00 or 36%

Note:

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

**OSBA SCHEDULE 2  
LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE**

This document must be completed by ALL SBE-M/WBE's and submitted with this bid packet. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE's is certified to perform. Failure to properly complete Schedule 2 will result in your SBE participation not being counted.

PROJECT NUMBER: 16206 PROJECT NAME: North County Government Center Hearing Room 2706

TO: The Weitz Company

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

The undersigned is certified by Palm Beach County as a - (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: 12-27-2013 - 12-26-2016

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Line Item/ Lot No.	Item Description	Qty/Units	Unit Price	Total Price/ Percentage
	<u>Equipment</u>		<u>25334.57</u>	<u>100%</u>
	<u>labor</u>		<u>37481.60</u>	<u>100%</u>

at the following price or percentage 602,816.47  
(SBE Prime or Subcontractor's Quote)

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

If undersigned intends to sub-subcontract any portion of this job to a certified SBE-M/WBE or a non-SBE subcontractor, please list the name of that subcontractor and the amount below.

Price or Percentage 0 \_\_\_\_\_  
(Name of Subcontractor)

The Prime affirms that it will monitor the SBE-M/WBE listed to ensure the SBE-M/WBE perform the work with their own work force. The undersigned SBE-M/WBE Prime or SBE-M/WBE subcontractor affirms that it has the resources necessary to perform the work listed without subcontracting to a non-certified SBE or any other certified SBE subcontractors except as noted above.

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

Peerson Audio Inc.  
Print name of  
SBE-M/WBE Company

By: Kevin Varnadore  
(Signature)

Kevin Varnadore President  
Print name/title of person executing on behalf  
of SBE-M/WBE

Date: 10-19-2016

**OSBA SCHEDULE 2  
LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE**

This document must be completed by ALL SBE-M/WBE's and submitted with this bid packet. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE's is certified to perform. Failure to properly complete Schedule 2 will result in your SBE participation not being counted.

PROJECT NUMBER: 16206    PROJECT NAME: North County Government Center Hearing Room 2706

TO: The Weitz Company

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

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

Small Business Enterprise   X                        Minority Business Enterprise \_\_\_\_\_

Black \_\_\_\_\_ Hispanic \_\_\_\_\_ Women \_\_\_\_\_ Caucasian \_\_\_\_\_ Other (Please Specify) \_\_\_\_\_

Date of Palm Beach County Certification:   VC0000116340  

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Line Item/ Lot No.	Item Description	Qty/Units	Unit Price	Total Price/ Percentage
1	Electrical Work	1	\$32,800.00	100%

at the following price or percentage \_\_\_\_\_  
(SBE Prime or Subcontractor's Quote)

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

If undersigned intends to sub-subcontract any portion of this job to a certified SBE-M/WBE or a non-SBE subcontractor, please list the name of that subcontractor and the amount below.

Price or Percentage \_\_\_\_\_  
(Name of Subcontractor)

The Prime affirms that it will monitor the SBE-M/WBE listed to ensure the SBE-M/WBE perform the work with their own work force. The undersigned SBE-M/WBE Prime or SBE-M/WBE subcontractor affirms that it has the resources necessary to perform the work listed without subcontracting to a non-certified SBE or any other certified SBE subcontractors except as noted above.

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

Bradford Electric, Inc.

Print name of  
SBE-M/WBE Company

By: Thomas Foster  
(Signature)

President

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

Date:   October 19, 2016

**OSBA SCHEDULE 2  
LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE**

This document must be completed by ALL SBE-M/WBE's and submitted with this bid packet. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE's is certified to perform. Failure to properly complete Schedule 2 will result in your SBE participation not being counted.

PROJECT NUMBER: 16206 PROJECT NAME: North County Government Center Hearing Room 2706

TO: The Weitz Company

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

The undersigned is certified by Palm Beach County as a - (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: \_\_\_\_\_

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Line Item/ Lot No.	Item Description	Qty/Units	Unit Price	Total Price/ Percentage
	MILLWORK	1	30,000	30,000

at the following price or percentage thirty THOUSAND DOLLARS  
 (SBE Prime or Subcontractor's Quote)

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

If undersigned intends to sub-subcontract any portion of this job to a certified SBE-M/WBE or a non-SBE subcontractor, please list the name of that subcontractor and the amount below.

Price or Percentage 0 KMI INTERNATIONAL INC  
 (Name of Subcontractor)

The Prime affirms that it will monitor the SBE-M/WBE listed to ensure the SBE-M/WBE perform the work with their own work force. The undersigned SBE-M/WBE Prime or SBE-M/WBE subcontractor affirms that it has the resources necessary to perform the work listed without subcontracting to a non-certified SBE or any other certified SBE subcontractors except as noted above.

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

KMI INTERNATIONAL INC  
 Print name of  
 SBE-M/WBE Company

By: [Signature]  
 (Signature)

Carlos Rodriguez, PRESIDENT  
 Print name/title of person executing on behalf  
 of SBE-M/WBE

Date: 10/19/16

EXECUTED IN TRIPLICATE

PUBLIC CONSTRUCTION BOND

BOND NUMBER: 9209492

BOND AMOUNT: \$346,395.00

CONTRACT AMOUNT: \$346,395.00

CONTRACTOR'S NAME: The Weitz Company, LLC

CONTRACTOR'S ADDRESS: 1720 Centerpark Drive East  
West Palm Beach FL 33401

CONTRACTOR'S PHONE: 561-687-4841

SURETY COMPANY: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

SURETY ADDRESS: 1400 American Lane, Tower I, 18<sup>th</sup> Fl  
Schaumburg IL 60196-1056

OWNER'S NAME: PALM BEACH COUNTY CAPITAL IMPROVEMENTS DIVISION

OWNER'S ADDRESS: 2633 Vista Parkway  
West Palm Beach FL 33411-5604

OWNER'S PHONE: (561) 233-0261

DESCRIPTION OF WORK: **North County Government Center**  
**Hearing Room #2706 Renovation**

PROJECT LOCATION: 3188 PGA Blvd.  
Palm Beach Gardens FL 33410

LEGAL DESCRIPTION: North County Government Center PL TR 1

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

1/05/09

Public Construction Bond - 1

as Obligee, herein called County, for the use and benefit of claimant as hereinbelow defined, in the amount of

**Three Hundred Forty Six Thousand Three Hundred Ninety Five Dollars and no/100----- (\$346,395.00)**

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 entered into a contract with the County for

Project Name: Palm Beach County North County Government Center  
Project No.: 16206  
Project Description: Hearing Room #2706 Renovation  
Project Location: 3188 PGA Blvd., Palm Beach Gardens FL 33410

in accordance with Design Criteria Drawings and Specifications prepared by

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 between Principal and County for the **North County Government Center Hearing Room #2706 Renovation**, 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.

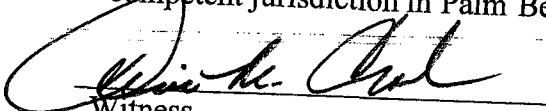
5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.

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 coverages and limitations of this instrument.

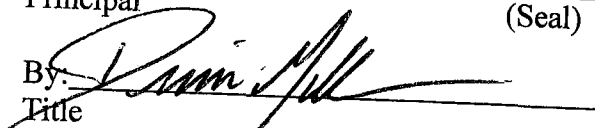
8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions 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 court of competent jurisdiction in Palm Beach County and not elsewhere.


  
Witness

  
Witness

The Weitz Company, LLC  
Principal (Seal)

By:   
Title

Fidelity and Deposit Company of Maryland  
Surety (Seal)

By:   
C.K. Nakamura, Attorney-in-Fact



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of California )  
 ) ss  
County of Los Angeles )

On OCT 19 2016, before me, Lisa L. Thornton, Notary Public, personally appeared C.K. Nakamura, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)



Signature: [Handwritten Signature]  
Lisa L. Thornton, Notary Public

Bond Number 9209492

Obligee: Palm Beach County Board of County Commissioners

ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by Michael P. Bond, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint C. K. Nakamura, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York, the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

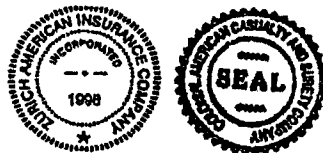
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 22<sup>nd</sup> day of July, A.D. 2015.

ATTEST:  
ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

*Michael P. Bond*

By: Michael P. Bond  
Vice President



*Eric D. Barnes*

By: Eric D. Barnes  
Secretary



State of Maryland  
County of Baltimore

On this 22nd day of July, A.D. 2015, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Michael P. Bond, Vice President and Eric D. Barnes, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Constance A. Dunn*  
Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2019

