

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

**Meeting Date: March 14, 2017**       **Consent**       **Regular**  
 **Ordinance**       **Public Hearing**

**Department: Engineering and Public Works**

**Submitted By: Engineering and Public Works**

**Submitted For: Road and Bridge Division**

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** Work Order 2015055-55 (Work Order) in the amount of \$355,918.50 for the construction of a concrete and asphalt pathway on Haverhill Road from north of Caribbean Boulevard to the north entrance of Dyer Park (Project) utilizing Palm Beach County's (County) annual pathway and minor construction contract R2016-0230 (Contract) with Wynn & Sons Environmental Construction Co. Inc. (Wynn).

**SUMMARY:** Approval of this Work Order will allow the contractual services necessary to construct the Project. The proposed work consists of a new pathway in advance of a forthcoming road widening project and will be funded from the road construction budget. Per County PPM CW-F-050, this Work Order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). This Work Order will be charged against Wynn's \$7 million annual pathway and minor construction contract. The Small Business Enterprise (SBE) participation proposed by Wynn for this Work Order is 100%. Wynn is a Palm Beach County based company and an SBE company. District 7 (JB)

**Background and Justification:** On March 1, 2016, the BCC approved the Contract with Wynn to provide services for pathway and minor construction for countywide projects. The County desires to construct the Project in accordance with the attached Work Order. The BCC's approval of this Work Order in the amount of \$355,918.50 is required to authorize the construction of the Project.

**Attachments:**

1. Location Map
2. Work Order 2015055-55 (3) with Exhibits "A", "B", and "C"

**Recommended by:**       2/9/17  
Department Director      Date

**Approved By:**       2/14/17  
Assistant County Administrator      Date

*ES*  
*MK*

**II. FISCAL IMPACT ANALYSIS**

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

| Fiscal Years                            | 2017             | 2018       | 2019       | 2020       | 2021       |
|---|------------------|------------|------------|------------|------------|
| Capital Expenditures                    | \$355,919        | -0-        | -0-        | -0-        | -0-        |
| Operating Costs                         | -0-              | -0-        | -0-        | -0-        | -0-        |
| External Revenues                       | -0-              | -0-        | -0-        | -0-        | -0-        |
| Program Income (County)                 | -0-              | -0-        | -0-        | -0-        | -0-        |
| In-Kind Match (County)                  | -0-              | -0-        | -0-        | -0-        | -0-        |
| <b>NET FISCAL IMPACT</b>                | <b>\$355,919</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> | <b>-0-</b> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____            | _____      | _____      | _____      | _____      |

Is Item Included in Current Budget?                      Yes    X    No

**Budget Account No:**

Fund 3502    Dept 361    Unit 1392    Object 6551

**Recommended Sources of Funds/Summary of Fiscal Impact:**

Road Impact Fee Zone 2  
Haverhill Rd from N. of Caribbean Blvd to Bee Line Hwy

|                 |              |
|-----------------|--------------|
| Annual Contract |              |
| Minor Pathways  | \$325,377.50 |
| Contingency     | \$ 30,541.00 |
| Fiscal Impact   | \$355,918.50 |

**C. Departmental Fiscal Review:**

*Alicia Kovalainen*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

*Susan P...* 2/15/17  
OFMB ET 2/19

*Jan J. Janolap* 2/14/17  
Contract Dev. and Control

**B. Approved as to Form and Legal Sufficiency:**

*[Signature]* 2/15/17  
Assistant County Attorney

**C. Other Department Review:**

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

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



LOCATION MAP

**WORK ORDER TO ANNUAL CONTRACT ( No. 2015055) BETWEEN  
PALM BEACH COUNTY**

**AND**

**WYNN & SONS ENVIRONMENTAL CONSTRUCTION CO. INC.**

**FOR CONCRETE AND ASPHALT PATHWAY CONSTRUCTION ON  
HAVERHILL ROAD FROM NORTH OF CARIBBEAN BOULEVARD TO THE NORTH  
DYER PARK ENTRANCE**

**WORK ORDER #: 2015055-55  
PALM BEACH COUNTY, FLORIDA**

**THIS WORK ORDER TO THE ANNUAL CONTRACT**, made and entered into this day of \_\_\_\_\_, by and between Palm Beach County (hereinafter called the **COUNTY**), and **WYNN & SONS ENVIRONMENTAL CONSTRUCTION CO. INC.** a Florida Corporation with an address of 7268 Belvedere Road, West Palm Beach, FL 33411 (hereinafter called the **CONTRACTOR**).

**WITNESSETH**

**WHEREAS**, the **COUNTY** and **CONTRACTOR** entered into an Annual Contract (hereinafter called the **CONTRACT**) for pathway and minor construction on a work order basis on March 1, 2016 (R 2016-0230); and

**WHEREAS**, a first amendment to the **CONTRACT** was executed on January 10, 2017 that increased the total amount available from \$5,765,000 to \$7,365,000 and extended the expiration date to February 28, 2018 (R2017-0021); and

**WHEREAS**, the **COUNTY** desires the **CONTRACTOR** to construct a concrete and asphalt pathway at Haverhill Road from north of Caribbean Boulevard to the north Dyer Park entrance in Palm Beach County, Florida (hereinafter called the **PROJECT**); and

**WHEREAS**, the **CONTRACTOR** agrees to construct the **PROJECT** in accordance with the terms and conditions of the **CONTRACT** as directed and accepted by the Engineering, Road & Bridge Division; and

Re: **CONSTRUCT CONCRETE AND ASPHALT PATHWAY AT HAVERHILL ROAD FROM NORTH OF CARIBBEAN BOULEVARD TO THE NORTH ENTRANCE OF DYER PARK**

Work Order No.: **2015055-55**

**WHEREAS**, based on the pricing agreed to in the **CONTRACT**, a cost not to exceed \$355,918.50 has been calculated by Staff and found to be appropriate compensation for the services to be performed by the **CONTRACTOR** to construct the **PROJECT**:

**NOW, THEREFORE, THIS INDENTURE WITNESSETH:** That for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree as follows:

1. The **CONTRACTOR** agrees to provide services for the **PROJECT** in accordance with the **CONTRACT** and as further described in Exhibit "A".
2. The **COUNTY** agrees to pay the **CONTRACTOR** a fee not to exceed \$355,918.50 to construct the **PROJECT**. Final payment shall be per documented quantities installed.
3. The following Exhibits are attached to and made part of this **CONTRACT**:
  - a) Exhibit A - scope and cost estimate
  - b) Exhibit B - Participation for SBE Subcontractors (Schedules 1 and 2)
  - c) Exhibit C - Public Construction Bond

Except as hereby amended, changed or modified, all other terms, conditions and obligations of the **CONTRACT** dated March 1, 2016 (R2016-0230) shall remain in full force and effect.

INTENTIONALLY LEFT BLANK

Re: **CONSTRUCT CONCRETE AND ASPHALT PATHWAY AT HAVERHILL ROAD FROM NORTH OF CARIBBEAN BOULEVARD TO THE NORTH ENTRANCE OF DYER PARK**

Work Order No.: **2015055-55**

**IN WITNESS WHEREOF**, the parties hereto have made and executed this **WORK ORDER** as of the day and year first above written.

OWNER:

**Palm Beach County, Florida**, a Political Subdivision of the State of Florida

BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Paulette Burdick, Mayor

CONTRACTOR:

Wynn & Sons Environmental Construction Co. Inc., a Florida Corporation

BY: \_\_\_\_\_  
*[Handwritten Signature]*

ATTEST:  
Sharon R. Bock, Clerk & Comptroller  
Circuit Court

**C O R P O R A T E   S E A L**

BY: \_\_\_\_\_  
Deputy Clerk

WITNESS:

BY: \_\_\_\_\_  
*[Handwritten Signature]*  
Rick Wade  
(Printed Name)

**S E A L**

APPROVED AS TO TERMS AND CONDITIONS:

BY: \_\_\_\_\_  
*[Handwritten Signature]*

BY: \_\_\_\_\_  
*[Handwritten Signature]*  
Lindsay Wynn Bernard  
(Printed Name)

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

\_\_\_\_\_  
COUNTY ATTORNEY

01/17/2017

**WORK TASK ORDER AUTHORIZATION**

RQN DOCUMENT INFORMATION

RQN NUMBER: **RQN 360 2230 1018160000000000034** FUTURE PROCUREMENT TYPE: KDO DISTRICT: 1 RESOLUTION: R2016-0230  
 DESCRIPTION: 2015055-55 Haverhill Road W Walkway/N of Caribbean Blvd to N  
 UNIT NAME: Road Section DIVISION /SECTION: ROAD AND BRIDGE APPRVG AUTH & BCC MEETING DATE: BCC - ~~2/14/17~~  
 3/14/17  
 ISSUER: Mark Kroeger 561-233-3962 mkroeger@pbcgov.org

Attachments: 1  
 RECORD DATE: 01/12/2017  
 BUDGET FY: 2017  
 CURRENT FY: 2017  
 CURRENT PER: 4  
 TOTAL REQ AMOUNT: 355,918.50

**DETAILS: WORK ORDER # 2015055-55 PBC# 2013528**  
 In accordance with the terms of your contract dated March 1, 2016 you are directed to provide the following supplies and services Concrete Pathway and Misc Items as directed, Haverhill Road W Walkway/N of Caribbean Blvd to N Entrance of Dyer Park  
 The contract duration for this work is 100 days. A separate NTP will be issued directing the contractor to commence work in (5) business days. The total amount of this work order at the contract prices, is estimated to be \$355,918.50. The Small Business Enterprise (SBE) goal for this Contract is 15.0%. The estimated SBE participation for this work order is 100%. The above work shall be performed at: Haverhill Road W Walkway/N of Caribbean Blvd to N Entrance of Dyer Park  
 This work shall be coordinated with, (48 hours prior to commencement of work): Mark Kroeger, Const. Project Mgr. R&B (561)-233-3962

VENDOR CODE: WYNN0001 NAME: WYNN & SONS ENVIRONMENTAL CONSTRUCTION CO INC CONTACT: Daniel P. Wynn PHONE: 561-686-6077  
 ADDRESS: 7268 Belvedere Road West Palm Beach, FL 33411

FUND: 3502 DEPT: 361 UNIT: 1392 SUB UNIT: OBJECT: 6551 PROGRAM: 1392

| LINE | COMM  | QTY       | UNIT | UNIT PRICE | LIST PRICE | ITEM TOTAL | COMMODITY DESC                 | EXT COMM DESC  |
|------|-------|-----------|------|------------|------------|------------|--------------------------------|--|
| 1    | 91327 | 5,541.000 | SQYD | 0.50       | 0.50       | 2,770.50   | Construction, Highway and Road | Item# 19- SEEDING AND MULCHING                                 |
| 2    | 91327 | 3.000     | EA   | 100.00     | 100.00     | 300.00     | Construction, Highway and Road | Item# 8- TREE REMOVAL (12" TO 24" CALIPER)                     |
| 7    | 91327 | 1.000     | EA   | 30,541.00  | 30,541.00  | 30,541.00  | Construction, Highway and Road | CONTINGENCY  |
| 8    | 91327 | 1,275.000 | CUYD | 5.00       | 5.00       | 6,375.00   | Construction, Highway and Road | Item# 14- EXCAVATION   |
| 9    | 91327 | 3,459.000 | SQYD | 8.00       | 8.00       | 27,672.00  | Construction, Highway and Road | Item# 24- 6" BASE (INCL PRIME COAT)                            |
| 10   | 91327 | 3,200.000 | SQYD | 8.50       | 8.50       | 27,200.00  | Construction, Highway and Road | Item# 32- ACSC TYPE S-III (1 1/4") (INCL TACK COAT)            |
| 11   | 91327 | 2.000     | EA   | 750.00     | 750.00     | 1,500.00   | Construction, Highway and Road | Item# 71- 15" CONCRETE MITERED END SECTION                     |
| 12   | 91327 | 4,200.000 | SQYD | 41.00      | 41.00      | 172,200.00 | Construction, Highway and Road | Item# 51- 6" CONCRETE PATHWAY OR DRIVEWAY                      |
| 13   | 91327 | 1.000     | EA   | 800.00     | 800.00     | 800.00     | Construction, Highway and Road | Item# 72- 18" MITERED END SECTION                              |
| 14   | 91327 | 54.000    | SQFT | 14.50      | 14.50      | 783.00     | Construction, Highway and Road | Item# 84- CAST-IN-PLACE AND/OR SURFACE APPLIED TACTILE SURFACE |
| 15   | 91327 | 3.000     | ACRE | 50.00      | 50.00      | 150.00     | Construction, Highway and Road | Item# 4- CLEARING AND GRUBBING                                 |
| 16   | 91327 | 700.000   | CUYD | 7.00       | 7.00       | 4,900.00   | Construction, Highway and Road | Item# 16- EMBANKMENT   |
| 17   | 91327 | 70.000    | LF   | 25.00      | 25.00      | 1,750.00   | Construction, Highway and Road | Item# 106- CONCRETE FLUSH HEADER CURB (PBC STANDARD)           |
| 18   | 91327 | 20.000    | LF   | 32.00      | 32.00      | 640.00     | Construction, Highway and Road | Item# 113- 6" CHAIN LINK FENCE, TYPE B,F&I                     |
| 19   | 91327 | 20.000    | LF   | 20.00      | 20.00      | 400.00     | Construction, Highway and Road | Item# 114- CHAIN LINK FENCE, REMOVAL                           |
| 21   | 91327 | 2.000     | EA   | 100.00     | 100.00     | 200.00     | Construction, Highway and Road | Item# 122- REMOVE BOLLARD                                      |
| 22   | 91327 | 22.000    | LF   | 43.50      | 43.50      | 957.00     | Construction, Highway and Road | Item# 123- 15" RCP   |
| 23   | 91327 | 8.000     | LF   | 33.50      | 33.50      | 268.00     | Construction, Highway and Road | Item# 124- 18" RCP   |
| 24   | 91327 | 17.000    | EA   | 1,000.00   | 1,000.00   | 17,000.00  | Construction, Highway and Road | Item# 82- PUMPING OR HAND PLACEMENT OF CONCRETE 1 DAY          |
| 25   | 91327 | 700.000   | CUYD | 35.00      | 35.00      | 24,500.00  | Construction, Highway and Road | Item# 83- PUMP MIX FOR CONCRETE PUMPING                        |
| 26   | 91327 | 40.000    | LF   | 182.60     | 182.60     | 7,304.00   | Construction, Highway and Road | NEGOTIATED ITEM NOT IN CONTRACT- BULLET RAILING                |
| 27   | 91327 | 9,236.000 | SQYD | 3.00       | 3.00       | 27,708.00  | Construction, Highway and Road | Item# 17- FINISH GRADING                                       |

SPECIAL INSTRUCTIONS:

EXHIBIT A B.1

01/17/2017

**WORK TASK ORDER AUTHORIZATION**

RQN DOCUMENT INFORMATION

Attachments: 1

| <u>Action</u> | <u>RQN Approvals</u>  |                  | <u>Event date</u> |
|---------------|-----------------------|------------------|-------------------|
|               | <u>Approval Level</u> | <u>User Name</u> |                   |
| APPROVED      | 1                     | Adam Faustini    | 12/21/16 2:47 pm  |
| APPROVED      | 2                     | Alice Kovalainen | 12/22/16 9:25 am  |
| APPROVED      | 3                     | Carole Portilla  | 1/12/17 1:37 pm   |

**APPROVALS:** \_\_\_\_\_  
Tanya N. McConnell, Deputy County Engineer

\_\_\_\_\_  
Irwin Jacobowitz, Contract Review Committee

Please indicate receipt of this work order by signing and returning a duplicate copy:

**Contract completed in compliance with Contract and Project Specifications:**

\_\_\_\_\_  
Contractor *[Signature]* 1/24/17

\_\_\_\_\_  
Contractor

EXHIBIT A B.2





## ROAD AND BRIDGE CONSTRUCTION COST ESTIMATE

DATE: 12/12/2016

| Project Description: | CONCRETE AND ASPHALT PATHWAY                           | Maintenance District: | 1          |           |              |
|----------------------|--|-----------------------|------------|-----------|--------------|
| Project Location:    | HAVERHILL ROAD/CARIBBEAN BLVD. TO N ENTRANCE DYER PARK | Commission District:  | 7          |           |              |
| Item #               | Item Description                                       | Unit                  | Unit Price | Quantity  | Amount       |
| 4                    | CLEAR AND GRUBBING                                     | AC                    | \$50.00    | 3         | \$150.00     |
| 8                    | TREE REMOVAL (12"-24")                                 | EA                    | \$100.00   | 3         | \$300.00     |
| 15                   | SHALLOW EXCAVATION <4'                                 | CY                    | \$5.00     | 1275      | \$6,375.00   |
| 16                   | EMBANKMENT   | CY                    | \$7.00     | 700       | \$4,900.00   |
| 17                   | FINISH GRADING   | SY                    | \$3.00     | 9236      | \$27,708.00  |
| 19                   | SEEDING AND MULCHING                                   | SY                    | \$0.50     | 5541      | \$2,770.50   |
| 24                   | 6" BASE (INCLUDING PRIME COAT)                         | SY                    | \$8.00     | 3459      | \$27,672.00  |
| 32                   | ACSC TYPE S-III (1 1/4)                                | SY                    | \$8.50     | 3200      | \$27,200.00  |
| 51                   | 6" CONCRETE PATHWAY (OR DRIVEWAY)- 35 SY OR GREATER    | SY                    | \$41.00    | 4200      | \$172,200.00 |
| 71                   | 15" CONCRETE MITERED END SECTION                       | EA                    | \$750.00   | 2         | \$1,500.00   |
| 72                   | 18" CONCRETE MITERED END SECTION                       | EA                    | \$800.00   | 1         | \$800.00     |
| 82                   | PUMPING OR HAND PLACEMENT OF CONCRETE 1 DAY            | EA                    | \$1,000.00 | 17        | \$17,000.00  |
| 83                   | PUMP MIX FOR CONCRETE PUMPING                          | CY                    | \$35.00    | 700       | \$24,500.00  |
| 84                   | CAST IN PLACE AND OR SURFACE APPLIED TACTILE SURFACE   | SY                    | \$14.50    | 54        | \$783.00     |
| 106                  | CONCRETE FLUSH HEADER CURB (PBC STANDARD)              | LF                    | \$25.00    | 70        | \$1,750.00   |
| 113                  | 6' CHAIN LINK FENCE, TYPE B, FURNISH AND INSTALL       | LF                    | \$32.00    | 20        | \$640.00     |
| 114                  | CHAIN LINK REMOVAL                                     | LF                    | \$20.00    | 20        | \$400.00     |
| 122                  | REMOVABLE BOLLARD                                      | EA                    | \$100.00   | 2         | \$200.00     |
| 123                  | 15" RCP  | LF                    | \$43.50    | 22        | \$957.00     |
| 124                  | 18" RCP  | LF                    | \$33.50    | 8         | \$268.00     |
| *                    | BULLET RAILING (NEGOTIATED ITEM NOT IN CONTRACT)       | LF                    | \$182.60   | 40        | \$7,304.00   |
|                      |  |                       |            | SUBTOTAL: | \$325,377.50 |
|                      |  |                       |            | CONT:     | \$30,541.00  |
|                      |  |                       |            | TOTAL:    | \$355,918.50 |

NOTE: #82 MINIMUM 40 CY/DAY

EXHIBIT A 19.3

**SCHEDULE 1**

**LIST OF PROPOSED SBE-M/WBE PARTICIPATION**

PROJECT NAME OR BID NAME: HAVERHILL ROAD PATHWAY PROJECT NO. OR BID NO.: 2013528  
 NAME OF PRIME BIDDER: Wynn & Sons Environmental Construction Co Inc ADDRESS: 7268 Belvedere Rd WPB, FL 33411  
 CONTACT PERSON: Zick Volpe PHONE NO.: 561-686-6077 FAX NO.: 561-686-2433  
 BID OPENING DATE: \_\_\_\_\_ USER DEPARTMENT: \_\_\_\_\_

**THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH BID PACKET. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT AND/OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SBE -M/WBE'S ON THIS PROJECT. IF THE PRIME IS AN SBE-M/WBE, PLEASE ALSO LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT AND/OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME ON THIS PROJECT. THE PRIME AFFIRMS THAT IT WILL MONITOR THE SBES LISTED TO ENSURE THE SBES PERFORM THE WORK WITH ITS OWN WORKFORCE.**

| Name, Address and Phone Number   | (Check one or both Categories) |                                     | DOLLAR AMOUNT AND/OR PERCENTAGE OF WORK |          |       |                                     |                           |
|--|--------------------------------|-------------------------------------|---|----------|-------|-------------------------------------|---------------------------|
|  | M/WBE                          | SBE                                 | Black                                   | Hispanic | Women | Caucasian                           | Other<br>(Please Specify) |
|  | Minority Business              | Small Business                      |   |          |       |                                     |                           |
| 1. <b>Wynn &amp; Sons Envir. Const., Inc.</b><br>7268 Belvedere Rd.<br>West Palm Beach, FL 33411 | <input type="checkbox"/>       | <input checked="" type="checkbox"/> |   |          |       | <input checked="" type="checkbox"/> |                           |
| 2.   | <input type="checkbox"/>       | <input type="checkbox"/>            |   |          |       |                                     |                           |
| 3.   | <input type="checkbox"/>       | <input type="checkbox"/>            |   |          |       |                                     |                           |
| 4.   | <input type="checkbox"/>       | <input type="checkbox"/>            |   |          |       |                                     |                           |
| 5.   | <input type="checkbox"/>       | <input type="checkbox"/>            |   |          |       |                                     |                           |

(Please use additional sheets if necessary)

Total Bid Price \$ 355,918.50 Total \_\_\_\_\_  
 Total SBE/M/WBE Participation Dollar Amount and/or Percentage of Work \_\_\_\_\_

I hereby certify that the above information accurate to the best of my knowledge: \_\_\_\_\_  
 Signature \_\_\_\_\_ Title \_\_\_\_\_

- NOTE:**
- The amount listed on this form for a SBE-M/WBE Prime or Subcontractor must be supported by price or percentage listed on the signed Schedule 2 or signed proposal in order to be counted toward goal attainment.
  - 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 and/or percentage under the appropriate category.
  - M/WBE information is being collected for tracking purposes only.

EXHIBIT B Pg 1

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: 2013528 PROJECT NAME: HAUERHILL ROAD PATHWAY

TO: Wynn & Sons Envir. Const., Inc.  
7268 Belvedere Rd.  
West Palm Beach, FL 33411

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: Good thru 1-19-2020

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/<br>Lot No. | Item Description    | Qty/Units | Unit Price | Total Price/<br>Percentage |
|-----------------------|---------------------|-----------|------------|----------------------------|
|                       | <u>See Attached</u> |           |            |                            |
|                       |                     |           |            |                            |
|                       |                     |           |            |                            |
|                       |                     |           |            |                            |
|                       |                     |           |            |                            |

at the following price or percentage \$ 355,918.00  
(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 N/A N/A  
(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.

**Wynn & Sons Envir. Const., Inc.**  
**7268 Belvedere Rd.**

West Palm Beach, FL 33411

(Inc. name of SBE-M/WBE Company)

By: [Signature]

(Signature)

Richard E. [Signature]  
Print name/title of person executing on behalf of SBE-M/WBE

Date: 12-19-16

**PUBLIC CONSTRUCTION BOND**

BOND NUMBER: 602-112528-9

BOND AMOUNT: \$360,000.00

CONTRACT AMOUNT: \$355,918.50

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CONTRACTOR'S NAME: Wynn and Sons Environmental Construction Co. Inc.

CONTRACTOR'S ADDRESS: 7268 Belvedere Road  
West Palm Beach, FL 33411

CONTRACTOR'S PHONE: (561)-686-6077

---

SURETY COMPANY: United States Fire Insurance Company  
SURETY ADDRESS: 305 Madison Ave  
Morristown, New Jersey 07960

---

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: 2300 North Jog Road, Suite 3W-33  
West Palm Beach, Florida 33411-2745

OWNER'S PHONE: 561-684-4150

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DESCRIPTION OF WORK: CONCRETE AND ASPHALT PATHWAY CONSTRUCTION

PROJECT LOCATION: HAVERHILL ROAD/CARIBBEAN BLVD. TO NORTH  
ENTRANCE OF DYFR PARK, PALM BEACH COUNTY, FL.

LEGAL DESCRIPTION.

PUBLIC CONSTRUCTION BOND

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Contract.

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto

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

As Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of Three Hundred Sixty Thousand and No/100----- (\$360,000.00)

(Here insert a sum equal to the Bond amount on page PCB-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 \_\_\_\_\_, 2016, entered into a contract with the County for:

Project Name: Haverhill Road West Walkway From N. of Caribbean Blvd. to N. Entrance of Dyer Park.

Project No.: 2013528  
Project Description: See Page PCB-1  
Project Location: See Page PCB-1

In accordance with Design Criteria Drawings and Specifications prepared by:

NAME OF ENGINEERING/ARCHITECTURAL FIRM: R.J. Behar Company, Inc.

LOCATION OF FIRM: 12788 Forest Hill Blvd, Suite 2003B, Wellington Fl 33411

PHONE: 561-333-7000 FAX: 561-333-7001

Which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

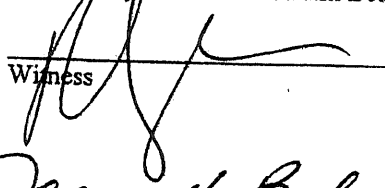
THE CONDITION OF THIS BOND is that if Principal:

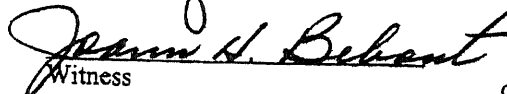
- 1. Performs the contract dated \* \_\_\_\_\_ between Principal and County for the construction of the project as described above, the contract being made part of this bond by reference, at the times and in the manner prescribed in the contract; and

As Surety Company for Wynn and Sons Environmental Construction Company, Inc. we have executed the captioned bond. Since the contract date is unknown, we have left the bonds undated. As a duly authorized Attorney-in-Fact for the Surety, United States Fire Insurance Company permission is hereby granted to Palm Beach County to fill in the contract date on the bonds when that date is known. Also, the "signed and sealed" date on the bonds should be completed.

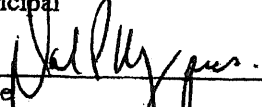
**PUBLIC CONSTRUCTION BOND**

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 attorney's 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 state court of competent jurisdiction in Palm Beach County and not elsewhere.

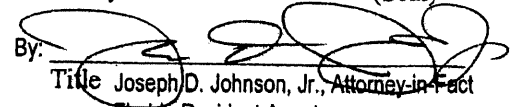
Witness 

  
Witness

Wynn & Sons Environmental Construction Company, Inc.  
Principal (Seal)

By:   
Title

United States Fire Insurance Company  
Surety (Seal)

By:   
Title Joseph D. Johnson, Jr., Attorney-in-Fact  
Florida Resident Agent

**POWER OF ATTORNEY  
UNITED STATES FIRE INSURANCE COMPANY  
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY**

22703

**KNOW ALL MEN BY THESE PRESENTS:** That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

*John S. Harris, Joseph D. Johnson, Jr., Brett A Ragland*

each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties not exceeding: Seven Million, Five Hundred Thousand Dollars (\$7,500,000).

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous Powers of Attorney issued on behalf of the Attorneys-In-Fact named above and expires on January 1, 2017.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 5th day of August, 2015.

UNITED STATES FIRE INSURANCE COMPANY

Anthony R. Slimowicz, Senior Vice President



State of New Jersey }  
County of Morris }

On this 5th day of August, 2015 before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

SONIA SCALA  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES 3/25/2019

Sonia Scala

(Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

UNITED STATES FIRE INSURANCE COMPANY

Al Wright, Senior Vice President

