

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	September 12, 2017	Consent [X] Public Hearing []	Regular []
Department:	Water Utilities Department		

I. EXECUTIVE BRIEF


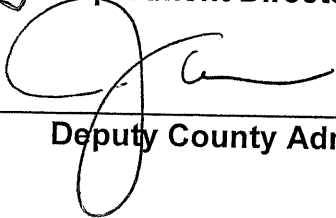
Motion and Title: Staff recommends motion to approve: Work Authorization (WA) No. 12 for the Water Distribution System Improvements Phase 1: Ponderosa Drive (Project) with Johnson-Davis, Incorporated in the amount of \$960,537.78.

Summary: On July 12, 2016, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Pipeline Continuing Construction Contract (R2016-0902) with Johnson-Davis, Incorporated. WA No. 12 provides for the construction of approximately 6,000 linear feet of 16-inch water main and associated appurtenances including site restoration on Ponderosa Drive. The Project provides for the replacement of an existing 12-inch water main located within the right-of-way of Ponderosa Drive from Glades Road south to Palmetto Park Road. The project also includes establishing new service connections for the approximately fourteen connections to existing water main that provide water to the adjacent residential communities. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Johnson-Davis Incorporated provides for SBE participation of 3.28%. WA No. 12 includes 14.09% overall participation. The cumulative SBE participation to date, including WA No. 12, is 12.46% 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. 15-102) District 5 (MJ)

Background and Justification: Completion of the work provided for in WA No. 12 will restore the service life, efficiency and effectiveness of the water distribution system in Western Palm Beach County along Ponderosa Drive while reducing the operations and maintenance workload and associated costs in the area.

Attachments:

- 1. Location Map
- 2. Three (3) Original Work Authorization No. 12

Recommended By:	 Department Director	8-16-17 Date
Approved By:	 Deputy County Administrator	8/29/17 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:


Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$960,538</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>\$0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
CCRT Funds	<u>0</u>				
NET FISCAL IMPACT	<u>\$960,538</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.:	Fund <u>4011</u>	Dept <u>721</u>	Unit <u>W031</u>	Object <u>6543</u>	

Is Item Included in Current Budget? Yes X No

Reporting Category N/A


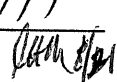
B. Recommended Sources of Funds/Summary of Fiscal Impact:

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

C. Department Fiscal Review: 

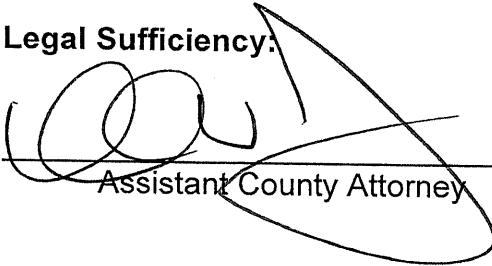
III. REVIEW COMMENTS

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

 8/21/17
OFMB 8/18/18 

 8/25/17
Contract Development and Control

B. Legal Sufficiency:

 8/28/17
Assistant County Attorney

C. Other Department Review:

Department Director

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

[illegible]

Proposed 12" Water Main

Riverside

Glades

Ponderosa

State Road 7

Palmetto Park

Judge Winikoff

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri-Thailand, TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

WORK AUTHORIZATION NO. 12

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

Project Title: Water Distribution System Improvements Phase 1: Ponderosa Drive

Project No. WUD 15-102

District: 5

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

THIS AUTHORIZATION No. 12 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 14.09% overall participation. The cumulative proposed SBE participation, including this authorization is 12.46% 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:
Contractor shall perform the construction based on Scope of Services as described here which includes approx. 6000 LF of 12" DIP and associated appurtenances including site restoration.
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 180 Calendar Days
Final Construction Completion 210 Calendar Days
Liquidated damages will apply as follows:
\$500.00 per day past substantial completion date.
\$250.00 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 \$960,537.78
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. 12

Project No. WUD 15-102

Project Title: Water Distribution System Improvements Phase 1: Ponderosa Drive

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: _____

Paulette Burdick, Mayor

JCS

Typed Name: _____

Deputy Clerk

Date

Approved as to Form and Legal
Sufficiency

Signed: _____

Typed Name: _____

County Attorney

CONTRACTOR: Johnson-Davis, Inc.

ATTEST:

Witness

(Signature)

CHRIS JOHNSON, Secretary
(Name and Title)

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

(CORPORATE SEAL)

6/26/17

Date

LIST OF ATTACHMENTS

WORK AUTHORIZATION NO. 12

**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. 12

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

SCOPE OF WORK FOR

Water Distribution System Improvements Phase 1: Ponderosa Drive

INTRODUCTION

Palm Beach County (County) entered into an agreement entitled Contract for Pipeline Continuing Construction Services - Palm Beach County Water Utilities Department Project No. WUD 16-013 (CONTRACT) with Johnson-Davis Incorporated (CONTRACTOR) to provide construction services for various general activities on the Pipeline Continuing Construction Contract dated July 12, 2016, (R2016 - 0902). This Work Authorization will be performed under that CONTRACT.

This Work Authorization encompasses providing services related to Water Distribution System Improvements Phase 1: Ponderosa Drive

SCOPE OF SERVICES

Contractor shall perform the construction based on Scope of Services as described here which includes approx. 6000 LF of 12" DIP and associated appurtenances including site restoration.

The Project provides for the replacement of an existing 12-inch water main located within the right of way of Ponderosa Drive from Glades Road south to Palmetto Park Road. The project also includes establishing new service connections for the approximately fourteen connections to existing water main that provide water to the adjacent residential communities.

COMPENSATION

Compensation shall not exceed \$960,537.78 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. 12

**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

ATTACHMENT C

PUBLIC CONSTRUCTION BOND – WORK AUTHORIZATION NO. 12 WUD 15-102
TO CONTINUING CONTRACT NO. WUD 16-013

BOND NUMBER: 016074218

WORK AUTHORIZATION/BOND AMOUNT: \$960,537.78

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: Water Distribution System Improvements Phase 1: Ponderosa Drive, which includes approx. 6000 LF of 12" DIP and associated appurtenances including site restoration.

COUNTY'S PROJECT NUMBER: WUD 15-102

PROJECT LOCATION: District 5

LEGAL DESCRIPTION: Section 14,23 Township 47 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. 12, 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

Nine Hundred Sixty Thousand Five Hundred Thirty Seven and 78/100 Dollars (\$960,537.78)
(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 _____, entered into Work Authorization No. 12 to Continuing Contract No. WUD 16-013 with the County for

Work Authorization Project Name: Water Distribution System Improvements Phase 1: Ponderosa Drive
Work Authorization Project No.: WUD 15-102
Project Description: Water Distribution System Improvements Phase 1: Ponderosa Drive, which includes approx. 6000 LF of 12" DIP and associated appurtenances including site restoration.
Project Location: District 5

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. 12, 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 _____, between Principal and County for the design and construction of Water Distribution System Improvements Phase 1: Ponderosa Drive, Project, WUD 15-102, 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 DITH PULKEY
Print name

Johnson-Davis, Incorporated

Principal _____ (Seal)

Print name

Title

Witness Elizabeth Selig

Elizabeth Sterling
Print name

Liberty Mutual Insurance Company

Surety (Seal)

Maria Signorile

Print name

Attorney-in-Fact

Title

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation 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 10th day of November, 2016.



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 10th day of November, 2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion 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 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, Renee C. Llewellyn, the undersigned, Assistant Secretary, 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: Renee C. Llewellyn
Renee C. Llewellyn, 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: 016074218

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 12, WUD 15-102**, 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.

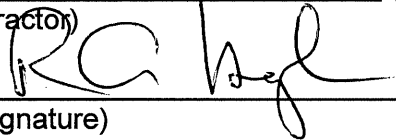
In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed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

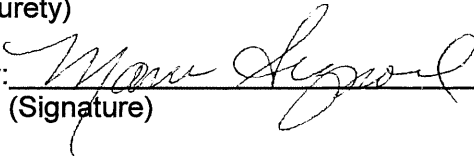
SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY

Johnson-Davis, Incorporated (Seal)
(Contractor)

By: 
(Signature)

ROBERT A. KOPPERLY V.P.
(Printed Name)

Liberty Mutual Insurance Company (Seal)
(Surety)

By: 
(Signature)

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

END OF SECTION

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

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation 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 10th day of November, 2016



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

By: [Signature]
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 10th day of November, 2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



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

By: [Signature]
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 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, Renee C. Llewellyn, the undersigned, Assistant Secretary, 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: [Signature]
Renee C. Llewellyn, Assistant Secretary

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

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

ATTACHMENT E

SCHEDULE OF BID ITEMS

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

Work Authorization No.: 12
Contractor Name: Johnson-Davis Inc.
Project Name: Water Distribution System Improvements Phase 1: Ponderosa Dr.
Project No.: WUD 15-102

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
5	6" DIP Push-On Joint Water Main/Reclaimed Water Main	50	L.F.	\$35.00	\$1,750.00
8	8" DIP Push-On Joint Water Main/Reclaimed Water Main	205	L.F.	\$32.00	\$6,560.00
14	12" DIP Push-On Joint Water Main/Reclaimed Water Main	5,875	L.F.	\$47.00	\$276,125.00
29	Ductile Iron Fittings for Water Main/Reclaimed Water Main	5	Tons	\$4,800.00	\$24,000.00
35	12" HDPE Directional Drill Water Main//Reclaimed Water Main/Wastewater Force Main	305	L.F.	\$100.00	\$30,500.00
54	12" DIP/PVC x HDPE Adapter	2	Each	\$725.00	\$1,450.00
59	6" Mechanical Joint Restraint for DIP	35	Each	\$200.00	\$7,000.00
60	8" Mechanical Joint Restraint for DIP	65	Each	\$250.00	\$16,250.00
62	12" Mechanical Joint Restraint for DIP	180	Each	\$400.00	\$72,000.00
76	6" Joint Restraint Gasket (Field Lock or Fast Grip)	1	Each	\$100.00	\$100.00
77	8" Joint Restraint Gasket (Field Lock or Fast Grip)	2	Each	\$125.00	\$250.00
79	12" Joint Restraint Gasket (Field Lock or Fast Grip)	64	Each	\$180.00	\$11,520.00
95	Restrain existing 8" PVC Pressure Pipe	6	Each	\$1,275.00	\$7,650.00
103	6" Gate Valve & Valve Box	4	Each	\$950.00	\$3,800.00
104	8" Gate Valve & Valve Box	10	Each	\$1,350.00	\$13,500.00
106	12" Gate Valve & Valve Box	15	Each	\$2,050.00	\$30,750.00
123	16"X 10" Tapping Sleeve w/ Valve and Valve Box	1	Each	\$11,500.00	\$11,500.00
153	Fire Hydrant Assembly with Captivator Caps, 6" Gate Valve & Anchor Tee Assembly & 10-ft of 6" R.J. DIP	5	Each	\$5,300.00	\$26,500.00
157	Sample Points W/Double Strap Saddle & Corp. Stop	1	Each	\$900.00	\$900.00
158	Sample Points on Fire Hydrants	4	Each	\$600.00	\$2,400.00
166	Short Single 5/8" Meter Service (1-1/2" PVC) (up to 10' long)	1	Each	\$1,050.00	\$1,050.00
175	Short 1" Meter Service (2" PVC) (up to 10' long)	1	Each	\$1,750.00	\$1,750.00
187	4" to 12" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint Restraint for existing pipe to be included)	15	Each	\$2,800.00	\$42,000.00
192	Grouting/Deactivation of Existing 8" Pipe	70	L.F.	\$17.00	\$1,190.00
193	Grouting/Deactivation of Existing 12" Pipe	800	L.F.	\$18.00	\$14,400.00

Work Authorization No.: 12
Contractor Name: Johnson-Davis Inc.
Project Name: Water Distribution System Improvements Phase 1: Ponderosa Dr.
Project No.: WUD 15-102

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
195	Milling of Asphalt (Minimum 220 Sq. Yd. per mobilization - 1.5" thick)	1,650	Sq. Yd.	\$15.00	\$24,750.00
197	Asphalt Overlay, Type S-III (20 to 150 tons per work area)	90	Tons	\$200.00	\$18,000.00
198	Asphalt Roadway Removal and Restoration (2.5" thick)	180	Sq. Yd.	\$43.00	\$7,740.00
200	Asphalt Driveway Removal and Restoration (1.5" thick)	100	Sq. Yd.	\$45.00	\$4,500.00
203	Concrete Paver Brick Driveway Removal and Restoration	20	Sq. Yd.	\$100.00	\$2,000.00
206	Asphalt Sidewalk Removal & Restoration	2,750	Sq. Yd.	\$43.00	\$118,250.00
207	Concrete Sidewalk Removal & Restoration	40	Sq. Yd.	\$50.00	\$2,000.00
208	Concrete Curb & Gutter Removal & Restoration	60	L.F.	\$40.00	\$2,400.00
209	Concrete Flush Header Curb Removal & Restoration	120	L.F.	\$40.00	\$4,800.00
210	Floritam Sod	8,570	Sq. Yd.	\$5.00	\$42,850.00
212	Root Barrier	290	L.F.	\$12.00	\$3,480.00
213	Remove Trees up to 4" diameter or Palm Trees up to 12" diameter	3	Each	\$200.00	\$600.00
214	Record Drawing	6,130	L.F.	\$2.00	\$12,260.00
215	Construction Survey	6,130	L.F.	\$2.00	\$12,260.00
216	Preconstruction Video Taping	6,130	L.F.	\$0.50	\$3,065.00
219	Maintenance of Traffic Arterial Roadway	7,730	L.F.	\$2.00	\$15,460.00
221	Density Tests	240	Each	\$35.00	\$8,400.00
222	Proctor Tests	2	Each	\$90.00	\$180.00
223	Concrete 12"x6" Cylinder Tests	1	Each	\$75.00	\$75.00
225	Demucking with Imported Clean Fill	20	Cu. Yd.	\$20.00	\$400.00
234	ADA Concrete Ramps per FDOT Index 304 (Include Ramp, Curb and Detectable Warning)	14	Each	\$2,000.00	\$28,000.00
	SUBTOTAL BASE BID PRICE (Item 1-286)				\$916,365.00

Work Authorization No.: 12
Contractor Name: Johnson-Davis Inc.
Project Name: Water Distribution System Improvements Phase 1: Ponderosa Dr.
Project No.: WUD 15-102

NO.	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
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	\$12,100.00	\$12,100.00
288	Mobilization (2.5% of Subtotal Base Bid Price)	1	Lump Sum	2.5%	\$22,909.13
289	Demobilization (1.0% of Subtotal Base Bid Price)	1	Lump Sum	1.0%	\$9,163.65
	SUBTOTAL ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION BID PRICE (Item 287-289)				\$44,172.78
	TOTAL BID PRICE				\$960,537.78
NO.	ADDITIONAL WORK -ITEM 287	QUANTITY	UNIT	UNIT PRICE	
287A	Additional for 16" X 12" tapping Sleeve & Valve	1	Each	\$800.00	\$800.00
287B	Striping	1	Lump Sum	\$3,500.00	\$3,500.00
287C	Extra to Phase Water Main Clearance in 2 Sections	1	Each	\$2,500.00	\$2,500.00
287D	Cut hedges back at New Village Place	1.0	Lump Sum	\$1,500.00	\$1,500.00
287E	Flagmen for areas where main is close to the E/P	1	Lump Sum	\$3,800.00	\$3,800.00
	SUBTOTAL ADDITIONAL WORK (Item 287)				\$12,100.00

Notes:

- 1) Plans do not indicate asbestos cement pipe anywhere within project limits so no remediation work is included.
- 2) Item 287A represents the upsizing of item 123 to a 16" X 12" Tapping Sleeve and 12" Tapping Valve.
- 3) Items 166 & 175 are only from the new main to the existing service pipe cut before the meter, box and backflow. No new meter, box, setter or backflow are included.
- 4) Traffic loops are not included at client's direction.
- 5) Item 287D does not include replacement.

ATTACHMENT F

SCHEDULE #1

LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS

PROJECT NAME:

Water Distribution System Improvements Phase 1: Ponderosa Drive

PROJECT NUMBER:

WUD 15-102

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)	
R & D Paving , LLC 400 Executive Center Dr., Ste 210, West Palm Beach, FL 33401 Ph: 561-588-6681	<input type="checkbox"/>	<input checked="" type="checkbox"/>				\$114,358.30		
Pathway Enterprises Inc. 7256 Westport Place, Suite B, West Palm Beach, FL 33413 Ph: 561-478-4822	<input type="checkbox"/>	<input checked="" type="checkbox"/>				\$21,000.00		
	<input type="checkbox"/>	<input type="checkbox"/>						
	<input type="checkbox"/>	<input type="checkbox"/>						
	<input type="checkbox"/>	<input type="checkbox"/>						
	<input type="checkbox"/>	<input type="checkbox"/>						
PRIME CONTRACTOR TO COMPLETE:	TOTAL		\$0.00	\$0.00	-	\$135,358.30		-
BID PRICE: \$ 960,537.78	Total Value of SBE Participation:		\$135,358.30					

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 15-102 PROJECT NAME: Water Distribution System Improvements
Phase 1: Ponderosa Drive

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: 3-23-16 / 3-22-19

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>234</u>	<u>ADA Concrete Ramps</u>	<u>14ea</u>	<u>\$1500</u>	<u>\$21,000</u>

at the following price \$ Twenty one thousand dollars & 00/100
(Subcontractor's quote)

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

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

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

Pathway Enterprises, Inc.
(Print Name of SBE-M/WBE Subcontractor)

By: Joyce Lynn Kirkland
(Signature)

Joyce Lynn Kirkland / President
(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Date: 6-23-17

ATTACHMENT F

SCHEDULE 2

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

PROJECT NO. WUD 15-102 PROJECT NAME: Water Distribution System Improvements
Phase 1: Ponderosa Drive

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: April 10, 2016 to April 9, 2019

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>195</u>	<u>Millings of Asphalt</u>	<u>1450 sy</u>	<u>6.75</u>	<u>\$ 9787.50</u>
<u>197</u>	<u>Asphalt Overlay</u>	<u>1450 sy</u>	<u>12.90</u>	<u>18,705.00</u>
<u>206</u>	<u>Asphalt Sidewalk</u>	<u>2582 sy</u>	<u>31.90</u>	<u>82,365.80</u>
	<u>Mobilization</u>	<u>1 LS</u>	<u>3500</u>	<u>3500</u>
<u>TOTAL</u>				<u>\$114,358.30</u>

at the following price
 \$ 114,358.30
 (Subcontractor's quote)

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

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

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

R+D Paving
 (Print Name of SBE-M/WBE Subcontractor)

By: [Signature]
 (Signature)

Darcy G. Rosso, managing member
 (Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Date: 6-20-17

SUMMARY AND STATUS OF AUTHORIZATIONS

Revised (12-9-14)

ATTACHMENT H

AUTHORIZATION STATUS REPORT

SUMMARY OF
SBE / MINORITY BUSINESS TRACKING

	Total	SBE
Current Proposal 12		
Value of Authorization No. 12	\$960,537.78	
Value of SBE - M/WBE Letters of Intent	\$135,358.30	\$135,358.30
Actual Percentage	14.09%	14.09%
Signed/Approved Authorizations		
Total Value of Authorizations	\$3,645,430.72	
Total Value of SBE - M/WBE Signed Subcontracts	\$438,954.76	\$438,954.76
Actual Percentage	12.04%	12.04%
Signed/Approved Authorizations Plus Current Proposal		
Total Value of Authorizations	\$4,605,968.50	
Total Value of Subcontracts & Letters of Intent	\$574,313.06	\$574,313.06
Actual Percentage	12.46%	12.46%
GOAL	3.28%	12.46%

Revised (12-9-14)

ATTACHMENT I

