

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>\$325,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</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>
NET FISCAL IMPACT	<u>\$325,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget?	Yes	X	No
Does this item include the use of federal funds?	Yes	No	X

Budget Account No:

Fund 3950 Dept 361 Unit 1569 Object 6554-C017

Recommended Sources of Funds/Summary of Fiscal Impact:

Local Government One-Cent Infrastructure Surtax Fund
Golf Road from Military Trail to Congress Avenue Resurfacing

Annual Contract

Work Order #49	\$293,735.00
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Contingency	\$ 31,265.00
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Fiscal Impact	\$325,000.00
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Surtax Funding FY 2018	\$600,000	Golf Road from Military Trail to Congress Avenue
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C. Departmental Fiscal Review: Alvin Rovalaenen

III. REVIEW COMMENTS

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

[Signature] 7/10/18
 7/11/18 OFMB
 7/10
 7/10
 7/13/18 (TW)

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

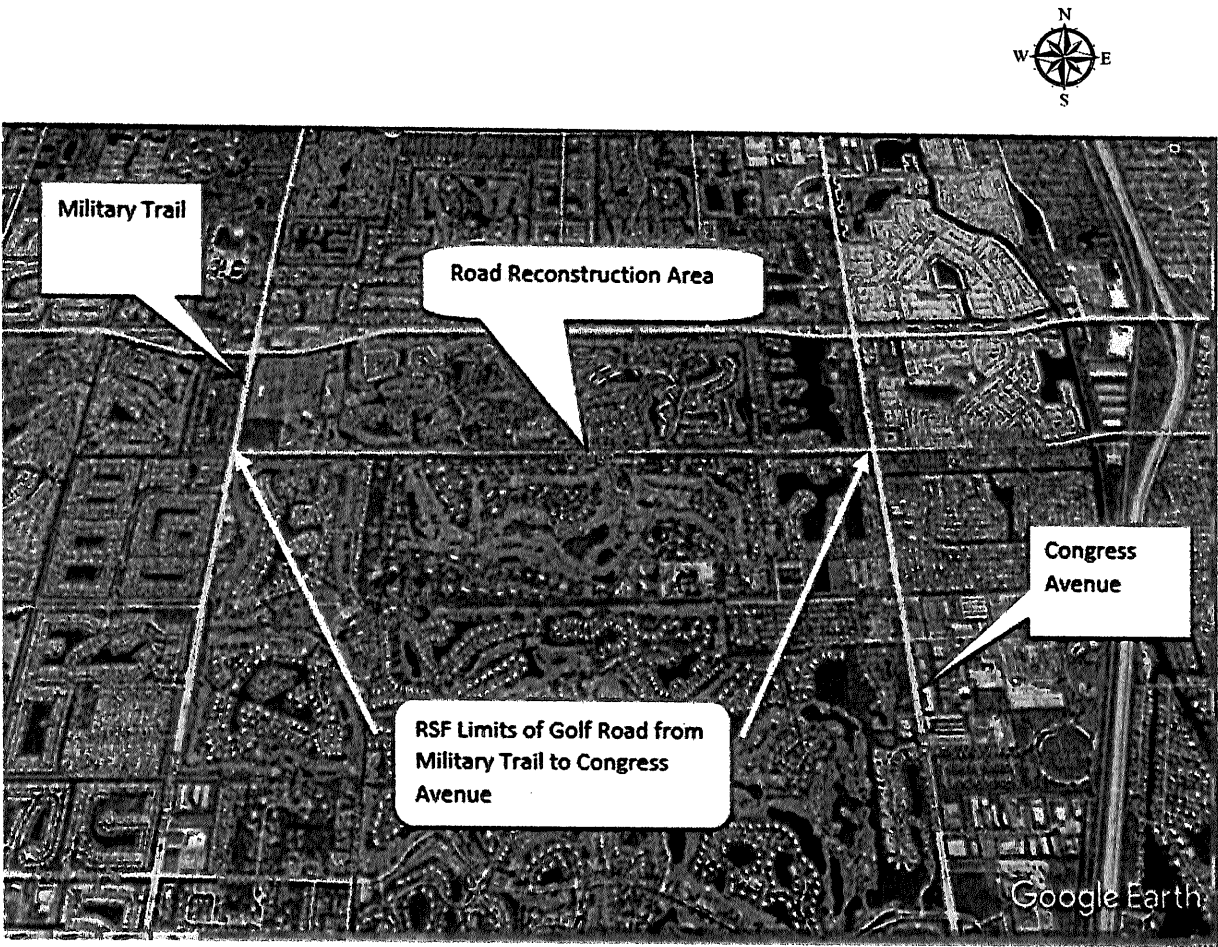
M. B. Herman 7/18/2018
Assistant County Attorney

C. Other Department Review:

Department Director

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

ATTACHMENT



LOCATION MAP

**WORK ORDER TO ANNUAL CONTRACT (No. 2017055) BETWEEN
PALM BEACH COUNTY**

AND

**WYNN & SONS ENVIRONMENTAL CONSTRUCTION CO. INC.
FOR ROADWAY RECONSTRUCTION IMPROVEMENTS ON
GOLF ROAD FROM MILITARY TRAIL TO CONGRESS AVENUE**

**WORK ORDER #: 2017055-49
PALM BEACH COUNTY, FLORIDA**

THIS WORK ORDER TO THE ANNUAL CONTRACT, made and entered into this day of _____, by and between Palm Beach County ("**COUNTY**"), a Political Subdivision of the State of Florida, by and through its Board of County Commissioners, and **WYNN & SONS ENVIRONMENTAL CONSTRUCTION CO. INC.** a Florida Corporation with an address of 7268 Belvedere Road, West Palm Beach, FL 33411 ("**CONTRACTOR**").

W I T N E S S E T H

WHEREAS, the **COUNTY** and **CONTRACTOR** entered into an Annual Contract ("**CONTRACT**") for pathway and minor construction on a work order basis on January 23, 2018 (R2018-0012); and

WHEREAS, the **COUNTY** desires the **CONTRACTOR** to construct roadway reconstruction improvements on Golf Road from Military Trail to Congress Avenue in Palm Beach County, Florida ("**IMPROVEMENTS**"); and

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

Re: **ROADWAY RECONSTRUCTION IMPROVEMENTS ON GOLF ROAD
FROM MILITARY TRAIL TO CONGRESS AVENUE**

Work Order No.: **2017055-49**

WHEREAS, based on the pricing agreed to in the **CONTRACT**, the parties agree that a cost not to exceed \$325,000 is appropriate compensation for the services to be performed by the **CONTRACTOR** to construct the **IMPROVEMENTS**:

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

1. The **CONTRACTOR** agrees to provide services for the **IMPROVEMENTS** in accordance with the **CONTRACT**, as amended and as further described in **Exhibit "A"**.
2. The **COUNTY** agrees to pay the **CONTRACTOR** a fee not to exceed \$325,000 to construct the **IMPROVEMENTS**. Final payment shall be per documented quantities installed.
3. The following Exhibits are attached to and made part of this **CONTRACT**:
 - a) **Exhibit A** – Work Order Request and scope and cost estimate; and
 - b) **Exhibit B** - Participation for SBE Subcontractors (Schedules 1 and 2); and
 - c) **Exhibit C** - Public Construction Bond

Except as amended, changed or modified, all other terms, conditions and obligations of the **CONTRACT** dated January 23, 2018 (R2018-0012) shall remain in full force and effect.

INTENTIONALLY LEFT BLANK

Re: ROADWAY RECONSTRUCTION IMPROVEMENTS ON GOLF ROAD
FROM MILITARY TRAIL TO CONGRESS AVENUE

Work Order No.: 2017055-49

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: _____
Melissa McKinlay, Mayor

CONTRACTOR:

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

BY: _____
Daniel P. Wynn president.
(Printed Name and Title)

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

C O R P O R A T E S E A L

BY: _____
Deputy Clerk

S E A L

WITNESS:
BY: _____
_____ (Printed Name)

APPROVED AS TO TERMS
AND CONDITIONS:

BY: _____

BY: _____
Lindsay Wynn
(Printed Name)

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:

Yelizaveta Herman, Assistant County Attorney



**PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
ENGINEERING & PUBLIC WORKS DEPARTMENT
P. O. BOX 21229, WEST PALM BEACH, FL 33416-1229**

REQUEST:

☒ WORK ORDER NO. 2017055-49
☐ NEW AUTHORIZATION
☐ CHANGE ORDER NO. _____
☐ SUPPLEMENTAL NO. _____
☐ OTHER: _____

REQUESTING DIVISION:

☒ ROAD & BRIDGE
☐ TRAFFIC
☐ ROADWAY PRODUCTION
☐ CONSTRUCTION COOR.
☐ STREETScape

INFORMATION:

DATE 6/20/18
REQUESTOR Mark Kroeger
COMMISSION DISTRICT NO: 4
RESOLUTION NO: R 2018-0012
PBC PO NUMBER: _____

PROJECT LOCATION/LIMITS: Golf Road from Military Trail to Congress Ave - Roadway Reconstruction

PROJECT NUMBER: 2018814

BUDGET LINE ITEM: 3950-361-1569-6554

CONTRACT NO: 2017055

CONTRACT DATE: 1/23/2018

CONTRACTOR/CONSULTANT/VENDOR: Wynn & Sons Environmental Construction Co Inc

VENDOR # WYNN0001

CONTACT: Dan Wynn

CONTACT PHONE NUMBER: 561-686-6077

Details: In accordance with your contract, you are to provide the following services: Roadway Reconstruction as directed.

A separate NTP will be issued directing the contractor to commence work within five (5) working days. The contract duration for this work request is 40 days.

This work shall be coordinated with, (48 hours prior to commencement of work): Mark Kroeger, Construction Project Mgr. R&B (561)-233-3962

The total amount of this request, per the attached documentation, is not to exceed \$ 325,000

The Small Business Enterprise (SBE) goal for this contract is 78 %. The estimated SBE participation for this request is 78 %.
The cumulative SBE participation to date for this Contract including this request is 93 %.

Palm Beach County Engineering and Public Works Contact:

Mark Kroeger	Const. Project Mgr.	561-233-3962
Name	Title	Telephone Number

CONTRACTOR/CONSULTANT/VENDOR APPROVALS

Please indicate your receipt of this Work Order by signing and returning a duplicate copy.

Please sign below and submit with invoice at the completion of the project. Project completed in compliance with Contract and Project Specifications.

Signature _____ Date _____

Signature _____ Date _____

Printed Name and Title _____

Printed Name and Title _____

PALM BEACH COUNTY APPROVALS

BOARD APPROVAL? _____ **Date:** _____

Division Approval _____ Date _____

Budget Approval _____ Date _____

Deputy County Engineer _____ Date _____

Contract Review Committee (when required) Date _____

ROAD AND BRIDGE CONSTRUCTION COST ESTIMATE

DATE: 3/6/2018

Project Description:		ROAD REPAIR DUE TO TREE ROOT INTRUSION		Road Maintenance District:		4
Project Location:		GOLF ROAD FROM MILITARY TRAIL TO CONGRESS AVENUE		Commission District:		4
Item #	Item Description	Unit	Unit Price	Quantity	Amount	
4	CLEAR AND GRUBBING	AC	\$50.00	1	\$50.00	
9	FINISH EXISTING ROCK BASE (INCLUDING PRIME COAT)	SY	\$5.00	11667	\$58,335.00	
25	MILL EXISTING ASPHALT, FULL SIZE MACHING - 1/2 DAY (SEE NOTES)	EA	\$4,500.00	6	\$27,000.00	
33	SUPERPAVE ASPHALTIC CONCRETE (SP 12.5 TRAFFIC LEVELC)	TN	\$110.00	735	\$80,850.00	
145	SODDING TO MATCH EXISTING	SY	\$4.00	2000	\$8,000.00	
154	ROOT PRUNING (0" TO 36")	LF	\$10.00	1000	\$10,000.00	
157	36" TREE ROOT BARRIER	LF	\$30.00	3250	\$97,500.00	
*	MOT-ROAD CLOSURE	EA	\$12,000.00	1	\$12,000.00	
				SUBTOTAL:	\$293,735.00	
				CONT:	\$31,265.00	
				TOTAL:	\$325,000.00	

SCHEDULE 1

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

PROJECT NAME OR BID NAME: Annual Pathway & Minor construction
 NAME OF PRIME BIDDER: Wynn & Sons Environmental Construction Co. inc
 CONTACT PERSON: Rick Volpe gm
 BID OPENING DATE: _____

PROJECT NO. OR BID NO.: 2017-055- 49
 ADDRESS: 7268 Belvedere rd. West Palm Beach, Fl 33411
 PHONE NO.: 561-686-6077 FAX NO.: 561-686-2433
 USER DEPARTMENT: KAB

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH 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. THE PRIME AFFIRMS THAT IT WILL MONITOR THE SBES LISTED TO ENSURE THE SBES PERFORM THE WORK WITH ITS OWN FORCES.

Name, Address and Phone Number	(Check one or both Categories)		DOLLAR AMOUNT OR PERCENTAGE OF WORK				
	M/WBE	SBE	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. Wynn & Sons Environmental Construction Co. Inc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>				X	
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 \$ 325,000 Total SBE/M/WBE Participation Dollar Amount or Percentage of Work 100%
 I hereby certify that the above information accurate to the best of my knowledge: _____
 Signature Title

- Note:**
1. The amount listed on this form for a 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.
 2. Firms may be certified by Palm Beach County as an SBE and/or and 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 SUBCONTRACTOR

Exhibit B, Pg. 2

This document must be completed by the SBE-M/WBE Subcontractor and submitted with 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 Subcontractor is SBE certified to perform. Failure to properly complete Schedule 2 may result in your SBE participation not being counted.

PROJECT NUMBER: 2017055 NO 49 PROJECT NAME: Golf Rd from Military to Congress
TO: WYNN & SONS ENVIRONMENTAL CONSTRUCTION, INC.
(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 X Other (Please Specify) _____

Date of Palm Beach County Certification: 1/20/17

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>VARIOUS</u>			<u>78%</u>

at the following price or percentage

(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 subcontract any portion of this job to a certified SBE or a non-SBE subcontractor, please list the name of the subcontractor and the amount below.

Price and/or Percentage 78% [Signature]
(Name of Subcontractor)

The Prime affirms that it will monitor the SBE's listed to ensure the SBE's perform the work with its own forces. The undersigned subcontractor affirms that it has the resources necessary to perform the work listed without subcontracting to 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.

DANIEL P. WYNN
Print name of Prime Contractor
By: [Signature]
Signature
LINDSEY WYNN
Print name/title of person executing on behalf
Prime Contractor

Print name of SBE-M/WBE Subcontractor
By: _____
Signature

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

Revised 10/11/2011

Date: _____

PUBLIC CONSTRUCTION BOND

BOND NUMBER 602-112535-2

BOND AMOUNT \$325,000.00

CONTRACT AMOUNT \$325,000.00

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

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

CONTRACTOR'S PHONE: 561-686-6077

SURETY COMPANY: United States Fire Insurance Company

SURETY'S ADDRESS: 305 Madison Avenue
Morristown, New Jersey 07960

SURETY'S PHONE: (800) 331-3379

OWNER'S NAME: PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
Engineering & Public Works Department

OWNER'S ADDRESS: P. O. Box 21229
West Palm Beach, FL 33416-1229

OWNER'S PHONE: (561) 684-4150

PROJECT NAME: Golf Road from Military Trail to Congress Avenue - Roadway Construction

PROJECT NUMBER: 2018814

CONTRACT NUMBER : 2017055

DESCRIPTION OF WORK: Clearing and Grubbing, Finish Existing Rock Base (including prime coat)
Mill Existing Asphalt, Full Size Maching - 1/2 Day, Superpave Asphaltic Concrete, Sodding to Match
Existing, Root Pruning, 36" Tree Root Barrier

PROJECT ADDRESS, PCN, or LEGAL DESCRIPTION: Golf Road from Military Trail to Congress
Avenue, Palm Beach County, Florida

Legal Description:

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
P. O. Box 21229
West Palm Beach, Florida 33416-1229

as Oblige, herein called County, for the use and benefit of claimant as herein below defined, in the amount of

(\$ 325,000.00)

(Here insert a sum equal to the Contract Price)

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Principal has by written agreement entered into a contract with the County for

Project Name: Golf Road from Military Trail to Congress Ave., Roadway Reconstruction
Project No.: 2018814

in accordance with Drawings and Specifications prepared by

NAME OF ARCHITECTURAL FIRM:

LOCATION OF FIRM:

PHONE:

FAX:

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 construction of Golf Road from Military Trail to Congress Ave. - Roadway Reconstruction 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.

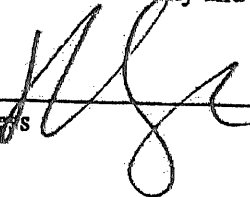
5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.

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.

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.

Any action brought under this instrument shall be brought in the court of competent jurisdiction in Palm Beach County and not elsewhere.

Witness 

Witness JoAnn H. Bebout
JoAnn H. Bebout

By: 
Principal (Seal)

President
Title
United States Fire Insurance Company

By: 
Surety (Seal)

Brett A. Ragland, Attorney-in-Fact
Print Name Florida Resident Agent

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

Exhibit C, Pg. 4

02613429118

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 31, 2018.

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 10th day of March, 2016.

UNITED STATES FIRE INSURANCE COMPANY

A.R. Slimowicz
Anthony R. Slimowicz, Senior Vice President



State of New Jersey }
County of Morris }

On this 10th day of March 2016, 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
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 28th day of June 2018

UNITED STATES FIRE INSURANCE COMPANY

Al Wright
Al Wright, Senior Vice President

