Agenda Item #: 3-C-10

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

## AGENDA ITEM SUMMARY

Meeting Date: June 2, 2020

[X ] Consent [ ] Ordinance

[ ] Regular [ ] 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 2018051-112 in the amount of \$858,000 to mill and resurface Hagen Ranch Road from Boynton Beach Boulevard to Hypoluxo Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger).

**SUMMARY:** 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). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this work order, approximately \$25 million of Ranger's \$31.4 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of applicable certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5% for the remainder of the current contract term. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 8.4% for all the work orders issued under the Contract. Districts 3 & 5 (YBH)

**Background and Justification:** The County desires to construct the improvements in accordance with the attached work order. The budget for the improvements includes striping and marking costs of \$100,000, bringing the total fiscal impact to \$958,000.

# Attachments:

### 1. Location Map

2. Work Order 2018051-112 with Exhibits "A", "B", "C" (3)

| Recommended by: | Savel Z Jut                    | 5/5/2020 |
|-----------------|--------------------------------|----------|
|                 | County Engineer                | Date     |
| Approved By:    | Rel                            | 5620     |
|                 | Assistant County Administrator | Date     |
|                 |                                |          |

# II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

| Fiscal Years<br>Capital Expenditures<br>Operating Costs<br>External Revenues<br>Program Income (County)<br>In-Kind Match (County)<br>NET FISCAL IMPACT<br># ADDITIONAL FTE<br>POSITIONS (Cumulative)   | 2020<br><u>\$-0-</u><br><u>\$958,000</u><br><u>-0-</u><br><u>-0-</u><br><u>\$958,000</u> | 2021<br><br><br><br><br><br><br> | 2022<br>0-<br>0-<br>0-<br>-0-<br>-0-<br>-0- | 2023<br>0-<br>0-<br>0-<br>0-<br>0-<br>0- | 2024<br><br><br><br><br><br><br> |  |
|--|--|----------------------------------|---|--|----------------------------------|--|
| Is Item Included in Cur<br>Does this item include  |  |                                  | Yes<br>funds? Yes                           | X No<br>No X                             | ζ                                |  |
| Budget Account No:<br>Fund 3500 Dept 363   | Unit R002-   | 308                              | Object 461                                  | 2  |                                  |  |
| Fund 3500 Dept 363 Unit R002-308 Object 4612<br>Recommended Sources of Funds/Summary of Fiscal Impact:<br>Transportation Improvement Fund<br>Pavement Mgmt/Roadway Striping<br>Hagen Ranch Road from Boynton Beach Blvd. to Hypoluxo Rd<br>Annual Contract |  |                                  |   |  |                                  |  |

Asphalt & Milling Striping and Marking Fiscal Impact

\$ 858,000.00 \$ 100,000.00 \$ 958,000.00

C. Departmental Fiscal Review:

III. <u>REVIEW COMMENTS</u>

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

51512020 **OFMB** 

B. Approved as to Form and Legal Sufficiency:

12020 ntract Dev. and Control

.am ant 5:7-2020 Assistant

C. Other Department Review:

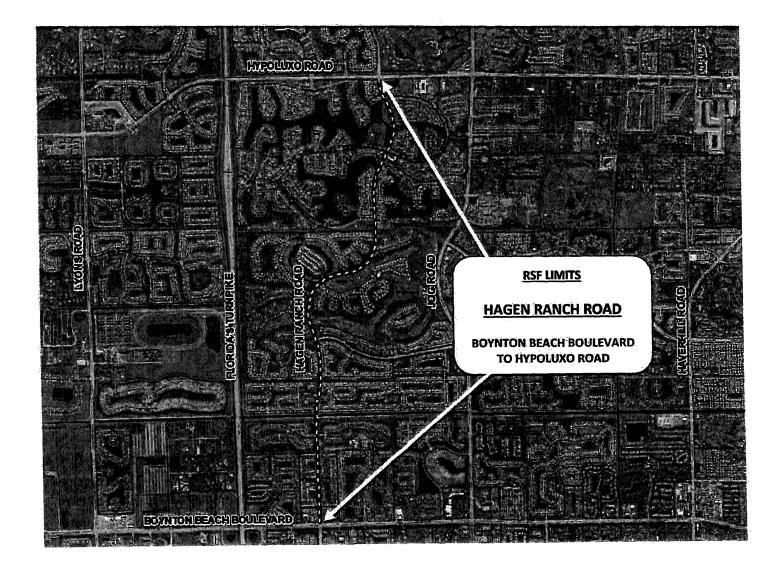
**Department Director** 

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This summary is not to be used as a basis for payment. 2 F:\ADM\_SER\FEED ME\AGENDAPAGE2\FY 2020\20.298.PAVE.DOC

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# LOCATION MAP

# WORK ORDER TO THE ANNUAL MILLING AND RESURFACING CONTRACT BY AND BETWEEN PALM BEACH COUNTY AND RANGER CONSTRUCTION INDUSTRIES, INC. FOR HAGEN RANCH ROAD FROM BOYNTON BEACH BLVD TO HYPOLUXO ROAD WORK ORDER: # 2018051-112

This Work Order to the Contract for Annual Milling and Resurfacing (R2018-1533), dated October 16, 2018 (ANNUAL CONTRACT) is made and entered into the \_\_\_\_\_ day of\_\_\_\_\_, 20\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY) and RANGER CONSTRUCTION INDUSTRIES, INC. (CONTRACTOR) (individually Party and collectively Parties).

### WITNESSETH

WHEREAS, the COUNTY and CONTRACTOR entered into an ANNUAL CONTRACT on a work order basis on October 16, 2018 (R2018-1533) as amended on October 22, 2019 (R2019-1591); and

WHEREAS, the COUNTY desires the CONTRACTOR to mill and resurface Hagen Ranch Road from Boynton Beach Boulevard to Hypoluxo Road in Palm Beach County, Florida ("IMPROVEMENTS"); and

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

### HAGEN RANCH ROAD FROM BOYNTON BEACH BOULEVARD TO HYPOLUXO ROAD

### Work Order No.: 2018051-112

WHEREAS, based on the pricing agreed to in the ANNUAL CONTRACT, as amended,

the Parties agree that a cost not to exceed \$858,000 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 above recitals are true and are incorporated herein.
- 2. The CONTRACTOR agrees to construct the IMPROVEMENTS in accordance with the ANNUAL CONTRACT, as amended, and as further described in Exhibit "A".
- 3. The **COUNTY** agrees to pay the **CONTRACTOR** a fee not to exceed \$858,000 to construct the **IMPROVEMENTS**. Final payment shall be per documented quantities installed.
- 4. The following Exhibits are attached to and made part of this Work Order:
  - a) Exhibit A Work Order Request and Scope/Cost Estimate; and
  - b) Exhibit B OEBO Schedules 1 and 2; and
  - c) Exhibit C Public Construction Bond

### INTENTIONALLY LEFT BLANK

# HAGEN RANCH ROAD FROM BOYNTON BEACH BOULEVARD TO HYPOLUXO ROAD

Work Order No.: 2018051-112

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Work Order for the IMPROVEMENTS, pursuant to the ANNUAL CONTRACT, as amended, on behalf of the COUNTY, and CONTRACTOR has hereunto set its hand the day and year above written.

OWNER:

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

BOARD OF COUNTY COMMISSIONERS

BY: \_

BY: \_\_\_\_\_

Dave Kerner, Mayor

Ranger Construction Industries, Inc., a Florida Corporation

CONTRACTOR:

R Presid Schater (Printed Name and Title)

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

**Deputy Clerk** 

**CORPORATE S E A L** 

WITNESS:

BY:

Gregoric Estalle (Printed Name)

B

Printed Name)

APPROVED AS TO TERMS AND CONDITIONS:

SEAL

BY

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

Yelizaveta Herman, Assistant County Attorney

Re:

| A CAN AD A  | ENGINEERING & F  | Exhibi<br>DARD OF COUNTY COMM<br>PUBLIC WORKS DEPARTN<br>ST PALM BEACH, FL 334:  | MENT   |
|---|--|--|--|
| REQUEST:<br>X WORK ORDER NO. 2018051-112<br>NEW AUTHORIZATION<br>CHANGE ORDER NO<br>SUPPLEMENTAL NO<br>OTHER:   | REQUESTING DIVISION:<br>X_ ROAD & BRIDGE<br>TRAFFIC<br>ROADWAY PRODUCT<br>CONSTRUCTION COO<br>STREETSCAPE  | DATE <u>3/31/2020</u><br>REQUESTOR <u>Mark</u><br>ION COMMISSION DIST<br>R. RESOLUTION NO: <u>F</u><br>PBC PO NUMBER:  | RICT NO: <u>3 &amp; 5</u><br>2018-1533<br>Amended by R2019-1591  |
| PROJECT LOCATION/LIMITS: Hagen<br>PROJECT NUMBER: 2020274<br>CONTRACT NO: 2018051   |  | Beach Boulevard Hypoluxo<br>BUDGET LINE ITEM: <u>3500</u><br>CONTRACT DATE: October  | 363-R002-308-4612  |
| CONTRACTOR/CONSULTANT/VENDO<br>CONTACT: Beatriz Ramirez<br>Details: In accordance with your contr<br>as directed. A separate NTP will be is<br>The contract duration for this work red  | act, as amended, you are to<br>ssued directing the contract  | CONTACT PHONE NUMBER   | ices: Mill and pave roadway  |
| This work shall be coordinated with,  | (48 hours prior to beginning   | ı of work)   |  |
| Mark Kroeger, Construction Project M  | Manager R&B (561)-233-39<br>r the attached documental<br>set for this contract was <u>15</u><br>he estimated SBE participati   | 62<br>tion, is not to exceed \$%<br>SBE participation goal.<br>on for this request is 5%   | A waiver was issued off  |
| Mark Kroeger, Construction Project M<br>The total amount of this request, pe<br>The Affirmative Procurement Initiative<br>1/17/2020 to reduce SBE goal to 5%. T   | Manager R&B (561)-233-39<br>r the attached documental<br>set for this contract was <u>15</u><br>he estimated SBE participati   | 62<br><b>tion, is not to exceed \$</b><br>% SBE participation goal.<br>on for this request is <u>5</u> %<br>%.   | A waiver was issued off  |
| Mark Kroeger, Construction Project M<br>The total amount of this request, pe<br>The Affirmative Procurement Initiative<br>1/17/2020 to reduce SBE goal to 5%. T<br>participation to date for this Contract i  | Manager R&B (561)-233-39<br>r the attached documental<br>set for this contract was <u>15</u><br>he estimated SBE participati<br>ncluding this request is <u>8.4</u><br>Title: Project Manager  | 62<br><b>tion, is not to exceed \$</b><br>% SBE participation goal.<br>on for this request is <u>5</u> %<br>%.   | 5. The cumulative SBE<br>lumber: 561-233-3962<br>nit with invoice at the<br>Project completed in   |
| Mark Kroeger, Construction Project M<br>The total amount of this request, pe<br>The Affirmative Procurement Initiative<br>1/17/2020 to reduce SBE goal to 5%. T<br>participation to date for this Contract i<br>Name: Mark Kroeger<br>CONTRACTOR/CONSULTANT/VENDOI<br>Please indicate your receipt of this Wo<br>and returning a duplicate copy.                              | Manager R&B (561)-233-39<br>r the attached documental<br>set for this contract was <u>15</u><br>he estimated SBE participati<br>ncluding this request is <u>8.4</u><br>Title: Project Manager  | 62<br>tion, is not to exceed \$  | 5. The cumulative SBE<br>lumber: 561-233-3962<br>nit with invoice at the<br>Project completed in   |
| Mark Kroeger, Construction Project M<br>The total amount of this request, pe<br>The Affirmative Procurement Initiative<br>1/17/2020 to reduce SBE goal to 5%. T<br>participation to date for this Contract i<br>Name: Mark Kroeger<br>CONTRACTOR/CONSULTANT/VENDOI<br>Please indicate your receipt of this Wo<br>and returning a duplicate copy.                              | Manager R&B (561)-233-39<br><b>r the attached documenta</b><br>set for this contract was <u>15</u><br>he estimated SBE participati<br>ncluding this request is <u>8.4</u><br>Title: Project Manager<br><b>R APPROVALS</b><br>rk Order by signing | 62<br>tion, is not to exceed \$ 858<br>% SBE participation goal.<br>on for this request is 5 %<br>%.<br>Telephone N<br>Please sign below and subm<br>completion of the project.<br>compliance with Contract a  | A waiver was issued on<br>5. The cumulative SBE<br>lumber: 561-233-3962<br>nit with invoice at the<br>Project completed in<br>nd Project Specifications. |
| Mark Kroeger, Construction Project M<br>The total amount of this request, pe<br>The Affirmative Procurement Initiative<br>1/17/2020 to reduce SBE goal to 5%. T<br>participation to date for this Contract i<br>Name: Mark Kroeger<br>CONTRACTOR/CONSULTANT/VENDOI<br>Please indicate your receipt of this Wo<br>and returning a duplicate copy.<br>Signature                 | Manager R&B (561)-233-39<br><b>r the attached documenta</b><br>set for this contract was <u>15</u><br>he estimated SBE participati<br>ncluding this request is <u>8.4</u><br>Title: Project Manager<br><b>R APPROVALS</b><br>rk Order by signing | 62<br>tion, is not to exceed \$ 858<br>  | A waiver was issued on<br>5. The cumulative SBE<br>lumber: 561-233-3962<br>nit with invoice at the<br>Project completed in<br>nd Project Specifications. |
| Mark Kroeger, Construction Project M   The total amount of this request, pe   The Affirmative Procurement Initiative   1/17/2020 to reduce SBE goal to 5%. T   participation to date for this Contract i   Name: Mark Kroeger   CONTRACTOR/CONSULTANT/VENDOI   Please indicate your receipt of this Wo   and returning a duplicate copy.   Signature   Printed Name and Title | Manager R&B (561)-233-39<br><b>r the attached documenta</b><br>set for this contract was <u>15</u><br>he estimated SBE participati<br>ncluding this request is <u>8.4</u><br>Title: Project Manager<br><b>R APPROVALS</b><br>rk Order by signing | 62<br>tion, is not to exceed \$ 858<br>% SBE participation goal.<br>on for this request is 5 %<br>%.<br>Telephone N<br>Please sign below and subm<br>completion of the project.<br>compliance with Contract a<br>Signature<br>Printed Name and Title | S. The cumulative SBE<br>Iumber: 561-233-3962<br>hit with invoice at the<br>Project completed in<br>nd Project Specifications.<br>Date                   |

| A CARACTER STATE | HAGEN RANCH ROAD/BOYNTON BEACH BLVD TO HYPOLUXO RD<br>EXHIBIT A - SCOPE/COST ESTIMATE DATE: 3/31/2020 |   |   |   |               | 3/31/2020    |
|------------------|---|---|---|---|---------------|--------------|
| Project l        | Description:  | RANGER CONTRUCTION ANNUAL MILL AND RESURFACING #2018051 | Roa   | d Maintenar   | nce District: | 3            |
| Proje            | ct Location:  | HAGEN RANCH ROAD/BOYNTON BEACH BLVD TO HYPOLUXO RD      |   | Commissi  | ion District: | 3            |
| Item #           | Item Description Unit   |   | Unit  | Unit Price  | Quantity      | Amount       |
| 1                | MILL EXISTING ASPHALT PAVEMENT (1")   |   |   | \$1.90  | 85,000        | \$161,500.00 |
| 9                | SUPERPAVE ASPHALTIC CONCRETE (SP-9.5 TRAFFIC LEVEL C) (>800 TON ORDERS) TN \$110.00 5,300 \$583,00    |   |   |   | \$583,000.00  |              |
| 26               |   |   |   |   | \$920.00      |              |
| 32               | SURCHARGE TO DELIVER MILLINGS TO PBC STOCKPILE SITE USING CONTRACTOR VEHICLES                         |   |   | \$2.00  | 50            | \$100.00     |
| 35               | ADJUST VALVE BOX & MISC STRUCTURES EA \$95.00   |   |   | \$95.00   | 1             | \$95.00      |
| 25               | OFF DUTY POLICE OFFICER HR \$70.00  |   |   |   | 1             | \$70.00      |
|                  |   |   |   |   | SUBTOTAL:     | \$745,685.00 |
|                  | neer opgevenneer o<br>Figer   |   |   |   | CONT:         | \$112,315.00 |
|                  |   |   | and a state of the second s | Allen Allen and All | TOTAL:        | \$858,000.00 |

STRIPING: \$100,000

Exhibit B, Pg. 1 of 2

### **OEBO SCHEDULE 1**

LIST OF PROPOSED CONTRACTOR/CONSULTANT AND SUBCONTRACTOR/SUBCONSULTANT PARTICIPATION

SOLICITATION/PROJECT/BID NAME: ANUAL MILLING AND RESURFACING

NAME OF PRIME RESPONDENT/BIDDER: RANGER CONSTRUCTION

CONTACT PERSON: BEATRIZ RAMIREZ

SOLICITATION OPENING/SUBMITTAL DATE: OCTOBER 16,2018

SOLICITATION/PROJECT/BID No.: 2018051

ADDRESS: 101 SANSBURY'S WAY, WEST PALM BEACH, FL

PHONE NO.: 561 793 9400 E-MAIL: m beatriz.ramirez@rangerconstruction.o

DEPARTMENT: ENGINEERING AND PUBLIC WORK

PLEASE LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE <u>PRIME CONTRACTOR/CONSULTANT</u> ON THIS PROJECT. PLEASE ALSO LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SUBCONTRACTORS/SUBCONSULTANTS ON THE PROJECT.

|  | (Checl<br><u>Non-SBE</u> | k all Applicable Cate,<br><u>M/WBE</u> | gories)<br><u>SBE</u> |                     | DOLLAR AMO  | UNT OR PERCEN | TAGE OF WORK |                           |
|--|--------------------------|--|-----------------------|---------------------|---|---------------|--------------|---------------------------|
| Name, Address and Phone Number                 |                          | Minority/Women<br>Business             | Small<br>Business     | Black               | Hispanic  | Women         | Caucasian    | Other<br>(Please Specify) |
| <sup>1.</sup> SIRDAR TRUCKING                  |                          |  | $\checkmark$          |                     | n an            |               |              | \$37,284.00               |
| 2.   |                          |  |                       |                     |   |               |              |                           |
| 3.   |                          |  |                       |                     |   |               | . <u></u>    |                           |
| 4.   |                          |  |                       |                     |   |               |              |                           |
| 5.   |                          |  |                       |                     |   |               |              |                           |
| lease use additional sheets if necessary)      |                          |  | Total                 |                     |   |               |              | \$37,284.00               |
| al Bid Price \$                                | B B to Hypotuxo)         |  | Total SBE -           | M/WBE Participation | \$37,284.00 (5                                      | %)            |              |                           |
| reby certify that the above information is acc | urste to the best of i   | my knowledge:                          | James                 | Moretz Date: 20     | signed by James Moretz<br>20.04.01 16:02:34 -04'00' |               | Vice Preside | ent                       |
|  |                          |  |                       | Signature           |   |               |              | Title                     |

 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/or M/WBE, please indicate the dollar amount under the appropriate category.

3. Modification of this form is not permitted and will be rejected upon submittal.

### **OEBO LETTER OF INTENT - SCHEDULE 2**

A completed Schedule 2 is a binding document between the Prime Contractor/consultant and a Subcontractor/subconsultant (for any tier) and should be treated as such. The Schedule 2 shall contain bolded language indicating that by signing the Schedule 2, both parties recognize this Schedule as a binding document. All Subcontractors/subconsultants, including any tiered Subcontractors/subconsultants, must properly execute this document. Each properly executed Schedule 2 must be submitted with the bid/proposal.

SOLICITATION/PROJECT NUMBER: 2018051

SOLICITATION/PROJECT NAME: ANNUAL MILLING AND RESURFACING

Prime Contractor: RANGER CONSTRUCTION Subcontractor:

### (Check box(s) that apply)

SBE ZWBE MABE M/WBE Non-S/M/WBE Date of Palm Beach County Certification (if applicable): MAY 22021

The undersigned affirms they are the following (select one from each column if applicable):

| <u>Column 1</u> | <u>Column 2</u>        |                 |                    | <u>Column 3</u> |
|-----------------|------------------------|-----------------|--------------------|-----------------|
| Male DFemale    | African-American/Black | Asian American  | Caucasian American |                 |
|                 | Hispanic American      | Native American |                    |                 |

S/M/WBE PARTICIPATION - S/M/WBE Primes must document all work to be performed by their own work force on this form. Failure to submit a property executed Schedule 2 for any S/M/WBE participation may result in that participation not being counted. Specify in detail, the scope of work to be performed or items supplied with the dollar amount and/or percentage for each work item. S/M/WBE credit will only be given for the areas in which the S/M/WBE is certified. A detailed proposal may be attached to a properly executed Schedule 2.

| item Description    | Unit Price | Quantity/<br>Units | Contingencies/<br>Allowances | Total Price/Percentage |
|---------------------|------------|--------------------|------------------------------|------------------------|
| Haul milled asphalt | \$75       | 497.1              | ·····                        | \$37,284,00            |
|                     |            |                    |                              | ·····                  |
|                     |            |                    |                              |                        |
|                     |            |                    |                              |                        |
|                     |            |                    |                              |                        |
|                     |            |                    | Units                        | Units Allowances '     |

The undersigned Subcontractor/subconsultant is prepared to self-perform the above-described work in conjunction, with the aforementioned project at the following total price or percentage: 437,284.00 (5%) HAGEN RANCH (Boynion BB to Hypolaxo)

If the undersigned intends to subcontract any portion of this work to another Subcontractor/subconsultant, please list the business name and the amount below accompanied by a separate properly executed Schedule 2.

Name of 2<sup>nd</sup>/3<sup>nd</sup> tier Subcontractor/subconsultant

Price or Percentage:

Ranger Construction Industries, Inc. Print Name of Prime By: James Moretz Digitally signed by James Moretz Authorized Signature James Moretz Print Name. Vice President Title Date: 4/1/2020

SIRDAR TRUCKING INC

Print Name of Subcontractor/subconsultant By: Phollmattie Sudar Authorized Signature Phool mattie dir da Print Name Title Date

Revised 09/17/2019

Exhibit C, Pg. 1 of 6



### GEORGE H. FRIEDLANDER COMPANY Bonds & Insurance

1566 Kanawha Blvd., East 25311 PO Box 2466, Charleston, WV 25329 Telephone: 304/357-4520 \* Fax: 304/345-8724

447 Montreal Ave., Melbourne, FL 32935 PO Box 10356, Melbourne, FL 32936 Telephone: 321/254-8477 \* Fax 321/988-0209

April 2, 2020

Palm Beach County Engineering & Public Works Department Roadway Production Division 2300 N. Jog Road West Palm Beach, FL 33411

Re: Ranger Construction Industries, Inc. Bond Number: 107242217 Public Construction Bond

To Whom It May Concern,

As the Surety Company for Ranger Construction Industries, 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, Travelers Casualty and Surety Company of America, permission is hereby granted to fill in the contract date on the bonds and power of attorney when the date is known. Also, the "signed and sealed" date on the bonds should be completed.

Sincerely William Phelps

Automey-In-Fact for Travelers Casualty and Surety Company of America

Exhibit C, Pg. 2 of 6

# PUBLIC CONSTRUCTION BOND

| BOND NUMBER:          | <b>107242217</b><br>\$858,000  |  |  |  |  |
|-----------------------|--|--|--|--|--|
| BOND AMOUNT:          |  |  |  |  |  |
| CONTRACT AMOUNT:      | \$858,000  |  |  |  |  |
| CONTRACTOR'S NAME:    | Ranger Construction Industries, Inc.   |  |  |  |  |
| CONTRACTOR'S ADDRESS: | 101 Sansbury's Way<br>West Palm Beach, FL 33411  |  |  |  |  |
| CONTRACTOR'S PHONE:   | 561-793-9400   |  |  |  |  |
| SURETY COMPANY:       | Travelers Casualty and Surety Company of America   |  |  |  |  |
| SURETY ADDRESS:       | One Tower Square<br>Hartford, CT 06183   |  |  |  |  |
| SURETY PHONE:         | 800-842-5075   |  |  |  |  |
| OWNER'S NAME:         | Palm Beach County  |  |  |  |  |
| OWNER'S ADDRESS:      | 2300 North Jog Road, Suite 3W-33<br>West Palm Beach, FL 33411-2745   |  |  |  |  |
| OWNER'S PHONE:        | 561-684-4150   |  |  |  |  |
| PROJECT NO.:          | Work Order 2018051-112   |  |  |  |  |
| DESCRIPTION OF WORK:  | Hagen Ranch Rd from Boynton Beach Blvd to Hypoluxo Rd<br>Asphalt Mill and Resurface                              |  |  |  |  |
| PROJECT LOCATION:     | Hagen Ranch Rd from Boynton Beach Blvd to Hypoluxo Rd  |  |  |  |  |
| LEGAL DESCRIPTION:    | No legal description is available. The best description available is as indicated on the Project Location above. |  |  |  |  |

PCB-1

### **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 finally 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:

\$ 858,000.00

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

WHEREAS, Principal has by written agreement dated \_\_\_\_\_\_, 20\_\_\_\_, cutered into a conwact with the County for:

| Project Name:        | Hagen Ranch Rd from Boynton Beach Blvd to Hypoluxo Rd |
|----------------------|---|
| Project No .:        | Order 2018051-112                                     |
| 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: | TBD |
|---|-----|
| Location of Firm:                       | TBD |
| Phone:                                  | TBD |
| Fax :                                   | TBD |

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
- 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

PCB-2

Exhibit C, Pg. 4 of 6

# PUBLIC CONSTRUCTION BOND

- ψ 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
- \* 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.
- ŝ waives notice of such changes 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
- 9 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.
- 2 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.
- 00 Section 255.05, Florida Statutea, 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 Palm Beach County Any action brought under this instrument shall be brought in the state court of competent jurisdiction in and not elsewhere

Wittess D

Witness

Travelers Calculaty and Ranger Construction Inudustries, Inc. Principal // (Scal) Title Title James filliam Phelps, Attorney-In-Fact and FL Resident Agent More Suffety Company of America (Scal) × President

PCB-3

Exhibit C, Pg. 5 of 6

### PUBLIC CONSTRUCTION BOND

| PROJECT NO.:         | Work Order 2018051-112  |
|----------------------|---|
| DESCRIPTION OF WORK: | Hagen Ranch Rd from Boynton Beach Blvd to Hypołuxo Rd<br>Asphalt Mill and Resurface |
|                      |   |
| PROJECT LOCATION:    | Hagen Ranch Rd from Boynton Beach Blvd to Hypoluxo Rd                               |
| SURETY COMPANY:      | Travelers Casualty and Surety Company of America                                    |
| SURETY ADDRESS:      | One Tower Square<br>Hartford, CT 06183  |
| SURETY PHONE:        | 800-842-5075  |
| BOND NUMBER:         | 107242217   |
| BOND AMOUNT:         | \$858,000.00  |
| CONTRACT AMOUNT:     | \$858,000.00  |
|                      |   |

As the Surety Company for <u>Ranger Construction Industries, inc.</u> we have executed the captioned bond. Because the contract date is unknown, we have left the bond(s) undated. As a duly authorized Attorney-in-Fact for the Surety, <u>Travelers Casualty and Surety Company of America</u>, permission is hereby granted to Palm Beach County to fill in the contract date on the bond(s) when that date is known. Also, the "signed and scaled" date on the bond(s) should be completed.

PCB-4

| TRAVELERSJ Travelers Casualty and Surety Company   St. Paul Fire and Marine Insurance Company | TRAVELERSJ | Travelers Casualty and Surety Company of America<br>Travelers Casualty and Surety Company<br>St. Paul Fire and Marine Insurance Company |
|---|------------|---|
|---|------------|---|

### POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint William Phelps of Melbourne, Florida their true and lawful Attorney-in-Fact tosign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 3rd day of February, 2017.

State of Connecticut

City of Hartford ss.

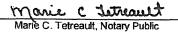
By: \_\_\_\_\_\_Robert L. Raney, Senfor Vice President

On this the 3rd day of February, 2017, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed 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 hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021





This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Senior Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of Travelers Casually and Surety Company of America, Travelers Casually and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this



Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880. Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.