

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 16, 2020

Consent Regular
 Workshop Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Work Order No. 20-012 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract with D.A.C. Air Conditioning Corp. (R2020-0231) in the amount of \$246,700 for the Water Utilities Department (WUD) Water Treatment Plant (WTP) #9 Exhaust Fan Replacement project for a period of 120 calendar days from permit issuance or until project is complete.

Summary: The existing exhaust fans at the WUD WTP #9 are more than 20 years old and are at the end of their useful life. The work consists of furnishing the labor, equipment, and materials needed to remove and replace 49 existing exhaust fans at five (5) different building sites. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. On August 21, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when three (3) or more Small Business Enterprises (SBE) are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest responsive and responsible bidder for projects in excess of \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The Contractor is not a certified SBE and submitted 0% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 52.19%. The Contractor is not a local business. Funding for this project is from the WUD Operation and Maintenance Fund. **(Capital Improvements Division)**
District 5 (LDC)

Background and Justification: This project was openly, competitively advertised and procured. Bids for this project were opened on January 30, 2020 and D.A.C. Air Conditioning Corp. submitted the lowest responsive and responsible bid of the seven (7) bids received.

Attachments:

- 1. Location Map
- 2. Budget Availability Statement
- 3. Work Order No. 20-012
- 4. Bid Summary
- 5. Quotation Comparison
- 6. Annual Contract HVAC 19601: Control Sheet

Recommended by:  Army Wolf 5/20/20
Department Director Date

Approved by:  V. Baker 6/2/2020
County Administrator Date

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	\$275,070.00	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$275,070.00</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 use of federal funds? Yes _____ No X

Budget Account No: Fund 4001 Dept 720 Unit 2410 Object 4615

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

Funding for this project will be from the WUD Operation and Maintenance Fund.

CONSTRUCTION	\$246,700.00
STAFF	\$3,700.00
CONTINGENCY	\$24,670.00
TOTAL	\$275,070.00

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 5/27/2020 *[Signature]* 5/29/2020
 OFMB *[initials]* Contract Development and Control
[initials] 5/28/2020

B. Legal Sufficiency:

[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

LOCATION MAP

Project No: 19468

Project Name WUD WTP #9 Exhaust Fan

Location: 22530 SW 65th Ave, Boca Raton.



BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 5/11/2020 REQUESTED BY: Bill Munker (BM) PHONE: 233-0265

PROJECT TITLE: WUD WTP #9 - exhaust fan replacement (Same as CIP or IST, if applicable)

IST PLANNING NO.:

ORIGINAL CONTRACT AMOUNT: \$

BCC RESOLUTION#: 2020-0231

REQUESTED AMOUNT: \$275,070.00

DATE: 3/10/2020

eFDO #: 2019-027930; 2019-027923; 2019-027929; 2019-027920; 2019-027925

CSA or CHANGE ORDER NUMBER:

LOCATION: 22530 SW 65th Ave., Boca Raton

BUILDING NUMBER: 681; 1410; 1409; 1222; 2040

DESCRIPTION OF WORK/SERVICE LOCATION: WUD WTP #9

PROJECT/W.O. NUMBER: 19468

CONSULTANT/CONTRACTOR: D.A.C. Air Conditioning Corp. (HVAC)

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

Furnish all labor, material, supervision, permits and supplies necessary and reasonably incidental to remove all existing exhaust fans, and provide and install new exhaust fans complete 49 in total on 5 different buildings at the site per Attachment C and Addendums 1 & 2 provided by Capital Improvements Division.

CONSTRUCTION	\$246,700.00
PROFESSIONAL SERVICES	\$ NA
STAFF COSTS*	\$ 3,700.00
EQUIP. / SUPPLIES	\$ NA
CONTINGENCY	\$ 24,670.00
TOTAL	\$275,070.00

* By signing this BAS your department agrees to these CID staff charges and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed. If this BAS is for construction costs of \$250,000 or greater, staff charges will be billed as actual and reconciled at the end of the project. If the project requires Facilities Management or ESS staff your department will be billed actual hours worked upon project completion.

BUDGET ACCOUNT NUMBER(S) (Specify distribution if more than one and order in which funds are to be used):

FUND: 4001 DEPT: 700 UNIT: 2410 OBJ: 4615

IDENTIFY FUNDING SOURCE FOR EACH ACCOUNT: (check and provide detail for all that apply)

- Ad Valorem (Amount \$ _____) Infrastructure Sales Tax (Amount \$ _____)
- State (source/type: _____ Amount \$ _____) Federal (source/type: _____ Amount \$ _____)
- Grant (source/type: _____ Amount \$ _____) Impact Fees: (Amount \$ _____)
- Other (source/type: over fee Amount \$ ML)

Department: WUD

BAS APPROVED BY: [Signature]

DATE 5/11/2020

ENCUMBRANCE NUMBER: _____

**WORK ORDER 20-012 TO CONTRACT FOR
ANNUAL HEATING VENTILATION AIR CONDITIONING (HVAC)
FOR
WATER UTILITIES DEPARTMENT (WUD) WATER TREATMENT PLANT (WTP) #9
– EXHAUST FAN REPLACEMENT
PROJECT NO. 19468**

THIS WORK ORDER is made as of _____ by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as “Owner”, and D.A.C. Air Conditioning Corp., a Florida Corporation, hereinafter referred to as “Contractor”.

WHEREAS, the Owner and Contractor acknowledge and agree that the Contract between Owner and Contractor dated March 10, 2020 (R2020-0231) (“Contract”) is in full force and effect and that this Work Order incorporates all the terms and conditions of the Contract as may be supplemented and amended by this Work Order;

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and the sums of money agreed to be paid by the Owner to the Contractor, the parties agree as follows:

- 1. Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
- 2. Total Bid Amount.** Pursuant to Section 6.3 of the Instructions to Bidders of the Annual Contract for HVAC services between Owner and Contractor, the Contractor was the lowest, responsive, responsible Bidder in the amount of **\$246,700.00** for the construction costs of removing the existing exhaust fans, in addition to, providing and installing 49 new exhaust fans at 5 different buildings as set forth on the **Bid Form** attached hereto and incorporated herein by reference.
- 3. Schedule of Time for Completion.** The time of completion for this Work Order will be as follows: The Contractor shall substantially complete the project within **120** calendar days of permit issuance. Liquidated Damages are **\$80/day** for failure to achieve certification of substantial completion within the contract time or approved extension thereof.
- 4. APIs.** The APIs applicable to this Contract are attached hereto.
- 5. EBO Participation to Date.** To date Contractor has achieved 0% SBE subcontracting participation on this Contract. Contractor will provide 0% on this Work Order.
- 6. Attachments.** The following attachments are attached hereto and incorporated herein by reference:

Bid Form
EBO Schedules 1 and 2
APIs

**Bid Bond/Security
Project Requirements
Addendum # 1 and 2
Public Construction Bond
Form of Guarantee
Insurance Certificate(s)**

7. Except as specially modified herein, the Contract remains in full force and effect. All capitalized terms herein shall have the same meaning as set forth in the Contract.

THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Work Order on behalf of the COUNTY and CONTRACTOR has made and executed this Work Order, the day and year written above.

ATTEST:

SHARON R. BOCK, CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: *[Signature]*
County Attorney

By: *[Signature]*
Audrey Wolf, Director - FD&O

WITNESS: FOR CONTRACTOR SIGNATURE

CONTRACTOR: D.A.C. AIR CONDITIONING CORP.

[Signature]
Signature

[Signature]
Signature

Morbila Balbuena
Name (type or print)

MARIO L DIAZ
Name (type or print)

President.
Title

(Corporate Seal)

OEBO SCHEDULE 1

LIST OF PROPOSED CONTRACTOR/CONSULTANT AND SUBCONTRACTOR/SUBCONSULTANT PARTICIPATION

SOLICITATION/PROJECT/BID NAME: <u>WUD WTP#9- Exhaust Fan Replacement</u>	SOLICITATION/PROJECT/BID No.: <u>19468</u>
NAME OF PRIME RESPONDENT/BIDDER: <u>D.A.C Air Conditioning Corp</u>	ADDRESS: <u>14650 SW 236th Street Princeton, FL 33032</u>
CONTACT PERSON: <u>Mario L Diaz</u>	PHONE NO.: <u>786-293-9009</u> E-MAIL: <u>mario@dacair.net</u>
SOLICITATION OPENING/SUBMITTAL DATE: <u>01/30/20</u>	DEPARTMENT: _____

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

Name, Address and Phone Number	(Check all Applicable Categories)			DOLLAR AMOUNT OR PERCENTAGE OF WORK				
	Non-SBE	M/WBE Minority/Women Business	SBE Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. D.A.C Air Conditioning Corp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	95%	_____	_____	_____
2. F& L Fire and Electrical System,lc	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	5%	_____	_____	_____
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____	_____
(Please use additional sheets if necessary)				Total	100%	_____	_____	_____
Total Bid Price \$ <u>246,700.00</u>				Total SBE - M/WBE Participation _____				

I hereby certify that the above information is accurate to the best of my knowledge: _____
Signature
President

Title

- Note:**
1. The amount listed on this form for a Subcontractor/subconsultant must be supported by price or percentage listed on the properly executed Schedule 2 or attached signed proposal.
 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/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: 19468

SOLICITATION/PROJECT NAME: WUD WTP #9 – Exhaust Fan Replacement

Prime Contractor: D.A.C. AIR CONDITIONING CORP. Subcontractor: F&L FIRE AND ELECTRICAL SYSTEM INC.

(Check box(s) that apply)

SBE WBE MBE M/WBE Non-S/M/WBE Date of Palm Beach County Certification (if applicable): N/A

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

Column 1	Column 2	Column 3
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> African-American/Black <input type="checkbox"/> Asian American <input type="checkbox"/> Caucasian American	<input type="checkbox"/> Supplier
	<input checked="" type="checkbox"/> Hispanic American <input type="checkbox"/> 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 properly 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.

Line Item	Item Description	Unit Price	Quantity/ Units	Contingencies/ Allowances	Total Price/Percentage
1	EXHAUST FAN REPLACEMENT (PRIME)	\$4,782.96	49	—	\$234,365.00 / 95%
2	ELECTRICAL (SUBCONTRACTOR)	\$251.73	49	—	\$12,335.00 / 5%

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: \$12,335.00 / 5%

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.

_____ Price or Percentage: _____

Name of 2nd/3rd tier Subcontractor/subconsultant

D.A.C. AIR CONDITIONING CORP.

Print Name of Prime

By: 
Authorized Signature

Mario L. Diaz

Print Name

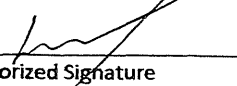
President

Title

Date: 01/30/2020

F&L FIRE AND ELECTRICAL SYSTEM INC.

Print Name of Subcontractor/subconsultant

By: 
Authorized Signature

Leonid Del Castillo

Print Name

President

Title

Date: 01/30/2020

ATTACHMENT "A"

(for IAQ Remediation, Overhead Doors, Painting Weatherproofing, HVAC, Plumbing, Sportslighting)

AFFIRMATIVE PROCUREMENT INITIATIVES FOR CONSTRUCTION PROCUREMENT
("API"s)

The API(s) approved for this project are selected below by . Any bid that fails to comply with the API requirements after the period allowed for waiver requests has lapsed shall be deemed non-responsive. Fillable pdfs of all EBO forms can be found on the OEBO website at <http://discover.pbcgov.org/oebo/Pages/Compliance-Programs.aspx>. Also, see the EBO Ordinance and Countywide PPM CW-O-043 for further information on APIs.

Waiver

The Office of EBO has granted a waiver of the EBO Program API(s) for this Work Order.

SBE Sheltered Market for Small Construction Contracts

When at least 3 SBEs are qualified under this contract, Work Orders \$100,000 and below are reserved for competition among only certified SBEs. Small prime construction contracts (single trade or multi-trade) valued at or below \$100,000 may be reserved for sheltered market competition where only certified SBEs are eligible to submit bids or quotes.

SBE Subcontracting Program

A minimum mandatory goal of 20% SBE participation is established for this contract. The EBO Office shall reduce or waive this goal when there is inadequate availability of SBE prime and / or subcontractor firms. Respondents/bidders may request such waivers at least seven (7) days prior to bid opening based on submission of adequate Good Faith Efforts documentation.

SBE Price Preference For Single Trade Construction

The work orders under this contract shall be awarded to the lowest, responsive, responsible bidder unless a certified SBE's bid is within ten percent (10%) of the lowest non-SBE bid, in which case the award shall be made to the certified SBE bidder. Construction contracts where there are no opportunities for subcontracting (i.e. single trade), may include a provision requiring awards of the contract to be made to the lowest responsive, responsible respondent or bidder unless a certified SBE's bid is within ten (10) percent of the lowest non-small business bid, in which case the award shall be made to the certified small business bidder submitting the lowest responsive, responsible bid at the price that it bid.

M/WBE Subcontracting Goal*

_____ % (Up to 40%) of this Contract shall be subcontracted to certified M/WBEs owned by African American, Hispanic American, Asian American, Native American, or non-minority women persons. The EBO Office shall reduce or waive this goal when there is inadequate availability of M/WBE prime and / or subcontractor firms. Respondents/bidders may request such waivers at least seven (7) days prior to bid opening based on submission of adequate Good Faith Efforts documentation. In the absence of a waiver granted by the Office of EBO, a respondent/bidder who does not commit to satisfying the M/WBE subcontracting goal shall be considered non-Responsive.

M/WBE Segmented Subcontracting Goals*

_____ % of the M/WBE subcontracting goal shall be achieved through the utilization of certified M/WBEs owned by African American, Hispanic American, Asian American,

Native American, and non-minority women persons (check applicable). M/WBE Segmented Subcontracting Goals are established on an individual County contract wherein an overall combined M/WBE goal is accompanied by subsets of one or more smaller goals that specifically target the participation of a particular segment of Minority Group Member segments or the WBE segment based upon that segment's relative availability. Such segmented goals shall specifically target the participation of a particular segment of business enterprises owned and controlled by women or certain Minority Group Members (e.g., African-Americans, Hispanic-Americans, Asian-Americans, or Native Americans) based upon relative availability, as well as the existence of consistently and significantly greater patterns of underutilization and disparity within an industry as compared to other gender and Minority Group Member categories of M/WBEs. (For example, if an overall M/WBE subcontracting goal is set at 38% on a given contract, the segmented subcontracting goal may require that at least 23% of that 38% shall be satisfied through the utilization of African American and Hispanic subcontractors.) The EBO Office shall reduce or waive this goal when there is inadequate availability of M/WBE prime and / or subcontractor firms. Respondents/bidders may request such waivers at least seven (7) days prior to bid opening based on submission of adequate Good Faith Efforts documentation. **In the absence of a waiver granted by the Office of EBO, a respondent/bidder who does not commit to satisfying the M/WBE segmented subcontracting goals shall be considered non-Responsive.**

M/WBE Joint Venture/Partnership/Teaming Incentive for Contracts greater than \$2.5 million

_____ (Up to 20%) evaluation points out of 100 are reserved for qualifying M/WBE joint ventures. See, Exhibit "Z" for joint venture/partnership teaming incentive program requirements. Incentives are established to promote joint ventures, partnerships, or teaming arrangements between larger established firms and M/WBE firms, or between and among SBE and M/WBE firms. For RFPs, the incentive may be for up to twenty percent (20%) of one hundred evaluation points to be reserved for qualifying M/WBE joint ventures where the certified M/WBE joint venture partner owns 50% or greater, and performs 50% or greater of the work, of the overall joint venture. Proportionately fewer evaluation preference points would be awarded to the joint venture based upon lesser percentages of ownership by the M/WBE partner.

M/WBE Evaluation Preference for RFPs for Prime M/WBE firms

_____ (Up to 15%) of the evaluation points are reserved as a preference for proposals submitted by certified M/WBE firms. Evaluation panels shall assign point preferences equal to up to 15% of the total points assigned for the evaluation, scoring and ranking of construction-related proposals submitted by those certified M/WBE firms. An M/WBE awarded a prime contract may not subcontract more than 49% of the contract value to a non-M/WBE firm.

***FINDINGS OF THE GOAL SETTING COMMITTEE FOR RACE-CONSCIOUS APIs:**

IFQ/B ATTACHMENT B
Include Attachment B if bid is \$200,000 or more

PROJECT NUMBER: 19468

PROJECT NAME: WUD WTP #9 – Exhaust Fan Replacement

DATE: 1/30/2020

BID BOND

STATE OF FLORIDA

COUNTY OF PALM BEACH

KNOW ALL MEN BY THESE PRESENTS: That we, DAC Air Conditioning Corp.
(hereinafter called "Principal"), and FCCI Insurance Company
(hereinafter called "Surety") are held and firmly bound unto Palm Beach County, a Political Subdivision in the State of Florida, by and through its Board of County Commissioners, (hereinafter called "County") in the sum of Five Percent of amount of bid
Dollars, (\$ 5% amount of bid), (which sum is **at least 5% of the bid price**), lawful money of the United States of America, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly be these presents;

WHEREAS, the "Principal" contemplates submitting or has submitted a bid to the Board of County Commissioners, Palm Beach County, Florida, for furnishing and paying for all necessary labor materials, equipment, machinery, tools, apparatus, services, all state workmen's compensation and unemployment compensation taxes incurred in the performance of the Contract, means of transportation for and complete Construction of: **WUD WTP #9 – Exhaust Fan Replacement, Project Number 19468**, in the County of Palm Beach, State of Florida; and

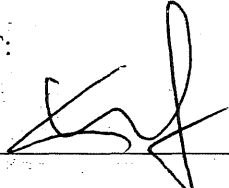
WHEREAS, it was a condition precedent to the submission of said bid that a certified check cashier's check, money order or bid bond in the amount of five percent (5%) of the base bid be submitted with said bid as a guarantee that the bidder would, if given a Notification from Owner, enter into a written contract with the County, and furnish a public construction bond in an amount equal to one hundred (100%) of the total Contract, within fourteen (14) consecutive calendar days after the County issues the Notification from Owner.

NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, if the bid of the "Principal" herein is accepted and said "Principal", within fourteen (14) consecutive calendar days after written notice being given of such acceptance, (i) enter into a written contract with the County and (ii) furnishes a public construction contract bond in the amount equal to one hundred percent (100%) of the total contract amount and in a form satisfactory to the County, then this obligation shall be void. If the Principal fails to complete (i) and (ii) above, the sum herein stated shall be due and payable to the "County", and the "Surety" herein agrees to pay said sum immediately upon demand of the "County", in good and lawful money of the United States of America, as liquidated damages for failure of said "Principal".

IN WITNESS WHEREOF, the said DAC Air Conditioning Corp.
as "Principal" herein, has caused these presents to be signed in its name, by its President, Mario L Diaz
, and attested by its Secretary under
the corporate seal, and the said FCCI Insurance company as "Surety"
herein, has caused these presents to be signed in its name, by its Attorney-in-fact, Ramon A Rodriguez
, and attested by its corporate Seal, this 30th day of January, A.D., 20 20.

ATTEST:

(SEAL)

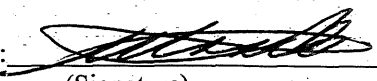


Hector M. Alpanso
Print Name

TITLE: P. Engineer.

DAC Air Conditioning Corp.

(Contractor Name)

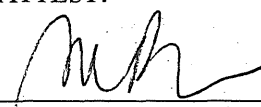
By: 

(Signature)

Print Name: Mario L Diaz

ATTEST:

(SEAL)




Mayra Rodriguez
Print Name

TITLE: Account Manager

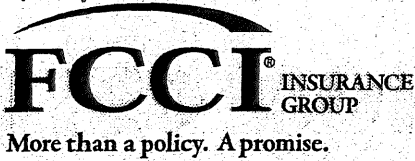
FCCI Insurance Company

(Surety Name)

By: 

(Signature)

Print Name: Ramon A Rodriguez, Atty-in-fact & FL
Res Agent



GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Ramon A. Rodriguez; Mayra Rodriguez; Fausto Alvarez, Jr.

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$10,000,000.00): **\$10,000,000.00**

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate seal to be hereunto affixed, this 31st day of January, 2019.

Attest: Craig Johnson
Craig Johnson, President
FCCI Insurance Company

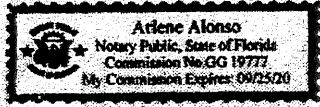


Cina Welch
Cina Welch, EVP, General Counsel,
Chief Audit & Compliance Officer, Secretary
FCCI Insurance Company

State of Florida
County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2020

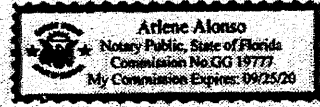


Arlene Alonso
Notary Public

State of Florida
County of Sarasota

Before me this day personally appeared Cina Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2020



Arlene Alonso
Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 30th day of January, 2020
Cina Welch

Cina Welch, EVP, General Counsel,
Chief Audit & Compliance Officer, Secretary



**IFQ/B ATTACHMENT C
PROJECT REQUIREMENTS
Annual Minor Construction Contract**

Contact: William Munker, Capital Improvements Division
Phone: (561) 233-0265
Project Title: WUD WTP #9 – Exhaust Fan Replacement
Project #: 19468
Project Locations: 22530 SW 65th Ave. Boca Raton, FL 33428

1. GENERAL

- a. The work covered by this Request for Quote consists of, but is not limited to, the furnishing all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements to perform all operations necessary to accomplish the work set forth below and shall be considered part of the Scope of Work.
- b. Please reference the Annual Contract - Minor Construction for additional requirements.
- c. Work to be completed during the hours of 8:00 am to 5:00 pm, Monday through Friday.
- d. Contractor shall contact the Project Manager, within seventy-two (72) hours of Notice to proceed to establish scheduling etc. required for project implementation.
- e. Work to be completed within one hundred twenty (120) days from permit issuance.
- f. Extensive equipment lead-time shall be documented and provided to the project manager.
- g. Liquidated damages will accrue for \$80 per day.
- h. Contractor is responsible for obtaining all measurements during the site inspection.

2. SCOPE OF WORK

- a. The Contractor shall remove all existing exhaust fans, and provide and install new exhaust fans complete 49 in total on 5 different buildings at the site.
- b. Installation shall include new exhaust fan, attachment to existing curb, Stainless Steel NEMA 4X enclosure disconnect switch, new liquid tight and all electrical connections.
- c. Existing SS tie downs shall be reused and all additional SS tie down materials needed shall be included in this project.

3. **MATERIALS**

- a. New Greeheck Aluminum Exhaust Fans (39) as shown on the attached fan schedule on the existing curb, Exhibit "1".
- b. The new Exhaust Fans shall be Aluminum Centrifugal Roof Exhaust Fans Manufactured by Greenheck or approved equal to match existing installed on existing curbs.
- c. Stainless steel fasteners for attachment of new fan to existing curb
- d. Installation shall be a turnkey; the contractor shall include all accessories and materials needed to complete installation.
- e. All material shall meet or exceed Florida Building Code and product submittals shall be reviewed and approved by PBC Water Utilities Department and the Project Manager prior to ordering.
- f. Materials shall be delivered in their original, unopened packages, and protected from exposure to the elements. Damaged or deteriorated materials shall not be used.

4. **TEMPORARY PROTECTION**

The Contractor shall protect all workers, staff and the general public, from injury. The Contractor shall coordinate and schedule all work with the Project Manager. The Contractor shall protect all roof surfaces staging areas from damage with plywood.

5. **PROJECT CONDITIONS**

Contractor is to coordinate all space and security requirements with the Project Manager. Any damage caused by Contractor (including landscaping) shall be the responsibility of the Contractor to repair and return to its original state. The Contractor shall conduct all work to cause the least interference possible with the normal activities of the operations of the facility and surrounding areas.

6. **PREPARATION**

It shall be the responsibility of the Contractor to prep the site at the construction locations.

7. **EXAMINATION**

Report to the Project Manager, in writing, any imperfections, unacceptable conditions and/or corrections required to be made before commencing work. If approved, this shall result in a change order.

8. **SUBMITTALS**

All submittals shall be sent to the Project Manager for approval. This includes, but is not limited to, products to be used, methods of installation and requests for information and/or clarification. All submittals must be made by the Contractor and must include all details necessary for the Project Manager and Palm Beach County to make any necessary determinations. A transmittal form must be included, which clearly requests data or information and deviations from the contract requirements for which approval is being requested. Failure to provide sufficient information will result in the rejection of the submittal. Where the specifications do not specify a brand name product or where a substitution of a product is not specifically prohibited, the Contractor shall submit their selected products for approval by the Project Manager. Such submittals shall include as much detail, and in a format, as required by the Project Manager, to allow the Project Manager to evaluate the proposed substitution.

9. **INSTALLATION**

All materials shall be installed in strict accordance with Manufacturer's written instructions and recommendations. All work shall be done in conformance with applicable Federal, State and Local codes, and established standards.

10. **WARRANTY**

Contractor warrants all equipment, materials and labor furnished or performed against defects in design, materials and workmanship for a period of twelve (12) months from substantial completion. Contractor shall provide Extended Manufacture Warranty for 5 years.

11. **CLEAN UP**

Remove all waste materials, tools and equipment from job site daily. Thoroughly clean the entire job area prior to requesting final inspection.

12. **SECURITY**

All bidders must have "Critical Facilities" badged employees prior to commencement of any work.

This project is subject to: Critical Facilities Background Check
 CJI Facilities Background Check
 No Background Check

In addition to Palm Beach County Criminal History Records Check, the Contractor shall be required to comply with the Water Utilities Department ID Badging Requirements (there is no additional cost to the Contractor, for this badge, unless it is lost or stolen).

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
FACILITIES DEVELOPMENT AND OPERATIONS DEPARTMENT
PROCUREMENT & PROJECT IMPLEMENTATION GROUP**

PROJECT NAME: WUD WTP #9 – Exhaust Fan Replacement

PROJECT NUMBER: 19468

ADDENDUM NUMBER: TWO

DATE OF ISSUANCE: January 27, 2020

TO: Prospective Bidders


This addendum forms a part of the contract documents, modifies the original bid documents and shall be as binding as if contained therein.

This Addendum consists of one (1) page and one (1) attachment.

CHANGE TO IFQ/B ATTACHMENT C – PROJECT REQUIREMENTS:

1. **2. SCOPE OF WORK**, item “a” – delete and replace with the following:
 - a. The contractor shall remove all existing exhaust fans, and provide and install new exhaust fans as shown on Exhibit “1R”, for a total of 49 fans in five (5) different buildings including the High Service Pump Building and the Re-Pump Building.
2. **3. MATERIALS**, item “a” – delete and replace with the following:
 - a. New Greenheck Aluminum Exhaust Fans for a total of 49, as shown on the attached fan schedule on the existing curb, Exhibit “1R”.
3. Delete Exhibit “1” and replace with the attached Exhibit “1R”.

IT IS REQUIRED THAT THIS ADDENDUM NO. TWO (2), AND ANY PREVIOUSLY ISSUED ADDENDUM(S), BE SIGNED IN THE ACKNOWLEDGMENT OF RECEIPT BELOW, AND ATTACHED TO THE BID FORMS AND BECOMES PART OF BID FORMS AND CONTRACT DOCUMENTS.

ACKNOWLEDGMENT OF RECEIPT: Mario L. Diaz 
D.A.C. Air Conditioning Corp.

END OF ADDENDUM
ADD2-1

EXHAUST FAN SCHEDULE

ITEM NO.	NO. REQ'D	AREA SERVED	SHEET NO.	CFM	S.P.	TYPE			H.P.	VOLT PHASE	FAN RPM	MAX SONE VALUE	GREENHECK MODEL NO.	REMARKS	CONTROL
						SET	WHEEL	DRIVE							
EF-1 to EF-3	6	PROCESS BAY MEMBRANE PROCESS BLDG	H-2	4000	0.50"	ROOF	CENT.	BELT	1	480 V 3φ	436	6.7	CUBE-300-10	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-3,10,12,14,15	6	PUMP ROOM MEMBRANE PROCESS BLDG	H-2	6475	0.50"	ROOF	CENT.	BELT	2	480 V 3φ	326	7.5	CUBE-420-20	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
EF-13,16	2	PUMP ROOM MEMBRANE PROCESS BLDG	H-2	6875	0.50"	ROOF	CENT.	BELT	2	480 V 3φ	326	7.5	CUBE-420-20	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-17,18	2	CARTRIDGE FILTER RM. MEMBRANE PROCESS BLDG	H-2	2855	0.50"	ROOF	CENT.	DIRECT	1	480 V 3φ	1725	25	CUE-140-A	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-19	1	ANTI-SCALANT ROOM MEMBRANE PROCESS BLDG	H-2	975	0.50"	ROOF	CENT.	DIRECT	1/6	115 V 1φ	1140	8.0	CUE-120-B	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-20	1	SULFURIC ACID ROOM MEMBRANE PROCESS BLDG	H-2	975	0.50"	ROOF	CENT.	DIRECT	1/6	115 V 1φ	1140	8.0	CUE-120-B	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-21	1	GENERATOR ROOM MEMBRANE PROCESS BLDG	H-4	20,250	0.50"	ROOF	CENT.	BELT	10	480 V 3φ	645	24	GB-420-100	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
EF-22	1	MAINTENANCE/STORAGE MEMBRANE PROCESS BLDG	H-4	2800	0.50"	ROOF	CENT.	DIRECT	1	480 V 3φ	1725	25	CUE-140-A	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
EF-23	1	WOMEN'S LOCKER MEMBRANE PROCESS BLDG	H-3	475	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1477	10.4	CUE-95-A	A,800,DS,EC,FC,00P,VSC	LIGHT SWITCH
EF-24	1	WOMEN'S TOILET MEMBRANE PROCESS BLDG	H-3	475	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1477	10.4	CUE-95-A	A,800,DS,EC,FC,00P,VSC	LIGHT SWITCH
EF-25	1	MEN'S TOILET MEMBRANE PROCESS BLDG	H-3	475	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1477	10.4	CUE-95-A	A,800,DS,EC,FC,00P,VSC	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-26	1	MEN'S LOCKER MEMBRANE PROCESS BLDG	H-3	475	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1477	10.4	CUE-95-A	A,800,DS,EC,FC,00P,VSC	LIGHT SWITCH
EF-27	1	CONFERENCE ROOM MEMBRANE PROCESS BLDG	H-3	675	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1725	13.4	CUE-95-A	A,800,DS,EC,FC,TE	WALL SWITCH
EF-28	1	BREAK ROOM MEMBRANE PROCESS BLDG	H-3	225	0.375"	ROOF	CENT.	DIRECT	1/6	115 V 1φ	1140	5.9	CUE-95-A	A,800,DS,EC,FC,TE	WALL SWITCH
EF-29	1	JANITOR MEMBRANE PROCESS BLDG	H-3	100	0.375"	ROOF	CENT.	DIRECT	1/30	115 V 1φ	1350	4.0	G-65-D	A,800,DS,EC,FC,TE	LIGHT SWITCH
		BLOWER ROOM CLEARWELL COMPLEX								480 V 3φ					
		BLOWER ROOM CLEARWELL COMPLEX								480 V 3φ					
EF-30	✓	STORAGE ROOM B-001 CLEARWELL COMPLEX	H-5	675	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1725	13.4	CUE-95-A	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
EF-31	✓	STORAGE ROOM B-101 CLEARWELL COMPLEX	H-5	675	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1725	13.4	CUE-95-A	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
EF-32	✓	TRANSFER PUMP ROOM CLEARWELL COMPLEX	H-5	3750	0.50"	ROOF	CENT.	BELT	1	480 V 3φ	433	6.4	CUBE-300-10	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
EF-33	✓	TRANSFER PUMP ROOM CLEARWELL COMPLEX	H-5	3750	0.50"	ROOF	CENT.	BELT	1	480 V 3φ	433	6.4	CUBE-300-10	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-34	1	CHEMICAL FEED CLEARWELL COMPLEX	H-5	675	0.50"	ROOF	CENT.	DIRECT	1/4	115 V 1φ	1725	13.4	CUE-95-A	A,800,DS,EC,FC,TE	CONTINUOUS (OR ON/OFF SWITCH AT MCC)
EF-35	1	AMMONIATOR ROOM CLEARWELL COMPLEX	H-5	1800	0.50"	ROOF	CENT.	DIRECT	1/2	480 V 3φ	1725	18.5	CUE-120-A	A,DS,EC,FC,MOD,T,TE	AMMONIA ALARM CONTROL PANEL
EF-36	1	AMMONIA STORAGE CLEARWELL COMPLEX	H-5	3750	0.50"	ROOF	CENT.	BELT	1	480 V 3φ	433	6.4	CUBE-300-10	A,DS,EC,FC,MOD,T,TE	AMMONIA ALARM CONTROL PANEL
EF-37	1	GENERATOR ROOM MEMBRANE PROCESS BLDG	H-4	20,250	0.50"	ROOF	CENT.	BELT	10	480 V 3φ	645	24	GB-420-100	A,800,DS,EC,FC,T,TE	T'STAT OR HOA SWITCH
		GENERATOR ROOM CLEARWELL COMPLEX								480 V 3φ					
		GENERATOR ROOM CLEARWELL COMPLEX								480 V 3φ					
		EX. PUMP STATION								480 V 3φ					

- A = ALL ALUMINUM CONSTRUCTION
- BDG = BACKDRAFT DAMPER
- BS = PVC COATED ALUMINUM BIRD SCREEN
- DS = STAINLESS STEEL NEMA 4X DISCONNECT
- EC = EPOXY OVER DRIED PHENOLIC EPOXY COATING
- FC = FACTORY ALUMINUM ROOF CURB
- MCD = MOTOR OPERATED DAMPER
- 00P = OPEN DRIP PROOF MOTOR
- T = LINE VOLTAGE THERMOSTAT
- TE = TOTALLY ENCLOSED FAN COOLED MOTOR
- VSC = VARIABLE SPEED CONTROL, UNIT MOUNTED

High Service Pump Building Included

GB-360-15-X-----Qty.2
 GB-100-20-X-----Qty.2
 G-055-D-X-----Qty.1

NOT IN INCLUDED

GB-240-HP-10 A X----Qty.7

Repump Building Included

NOT IN INCLUDED

DRAWN

WITH CONTROL TO JAN FOR EF 4.

DUCT

Δ

37 Sub-total
 5 High Service Pump Building (see insert on right)
 7 Re-pump Building (see insert on right)
 49 Total



Brown & Brown of Florida, Inc.
Miami Division
14900 NW 79th Court, Suite 200
Miami Lakes, FL 33016-5869
(305) 364-7800
Fax (305) 822-5687

May 4, 2020

DAC Air Conditioning Corp.
Mrs. Mario L Diaz
14650 SW 236 Street
Princeton, FL 33032

Re: Bonds Palm Beach County – Project No. 19468 -WUD WTP #9 Exhaust Fans
Replacement
Bond #: 3302162
Surety: FCCI Insurance Group

Dear Mrs. Diaz:

Enclosed please find the Performance & Payment bond for the above captioned project, per your request. Also enclosed is a “Duplicate Original” for recording with the appropriate clerk of the court. Please forward a copy of the complete contract at your earliest convenience. We have also enclosed at this time an invoice representing the premium due. We would greatly appreciate receiving your payment within fifteen days.

Since the contract is not yet dated, we did not date the bonds or powers of attorney. We hereby authorize you or the Obligee to insert the dates on both the bonds and the powers of attorney once the contract is dated. You can date the bonds and powers the same date as the contract if you'd like.

Should you have any questions in this regard, please do not hesitate to contact me directly at 305-714-4527. I would like to thank you for allowing Brown & Brown to continue to handle your surety bonding needs.

Sincerely,

Mayra Rodriguez
Mayra Rodriguez
Account Manager
Surety Division

PUBLIC CONSTRUCTION BOND

BOND NUMBER 3302162

BOND AMOUNT \$246,700.00

CONTRACT AMOUNT \$246,700.00

CONTRACTOR'S NAME: D.A.C Air Conditioning Corp

CONTRACTOR'S ADDRESS: 14650 S.W 236 St Princeton, Fl 33032

CONTRACTOR'S PHONE: 786-293-9009

SURETY COMPANY: FCCI Insurance Company

SURETY'S ADDRESS: 6300 University Parkway

Sarasota, FL 34240

SURETY'S PHONE: 800-226-3224

OWNER'S NAME: **PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
CAPITAL IMPROVEMENTS DIVISION**

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

OWNER'S PHONE: (561) 233-0261

PROJECT NAME: Water Utilities Department (WUD) Water Treatment Plant (WTP) #9 – exhaust fan replacement

PROJECT NUMBER: 19468

CONTRACT NUMBER (to be provided after Contract award): _____

DESCRIPTION OF WORK: Remove all existing exhaust fans, and provide and install 49 new exhaust fans at 5 different buildings at the site.

PROJECT ADDRESS, PCN, or LEGAL DESCRIPTION: _____

22530 SW 65th Ave., Boca Raton

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

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto
Palm Beach County Board of County Commissioners
301 N. Olive Avenue
West Palm Beach, Florida 33401

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

Dollars (\$246,700.00)

(Two hundred forty-six thousand seven hundred and 00/100)

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: WUD WTP #9 – exhaust fan replacement
Project No.: 19468
Project Description: Remove all existing exhaust fans, and provide and install 49 new exhaust fans at 5 different buildings at the site.
Project Location: 22530 SW 65th Ave., Boca Raton

in accordance with Drawings and Specifications prepared by

NAME OF ARCHITECTURAL FIRM: N/A
LOCATION OF FIRM:
PHONE:

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 removal of all existing exhaust fans, and provide and install 49 new exhaust fans at 5 different buildings at the site, 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. Any increase in the total contract amount as authorized by the County shall accordingly increase the Surety's obligation by the same dollar amount of said increase. Contractor shall be responsible for notification to Surety of all 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.

Malbec
Witness

DAC Air Conditioning Corp.
Principal (Seal)

[Signature]
(Print Name and Title) Mario L Diaz, President

Mayra Rodriguez
Witness

FCCI Insurance Company
Surety (Seal)

Ramon A Rodriguez
(Print Name and Title)
Ramon A Rodriguez, Atty-in-fact & FL Res Agent

IMPORTANT: Surety companies executing bonds must appear and remain on the U.S. Treasury Department's most current list (Federal Register) during construction, guarantee and warranty periods, and be authorized to transact business in the State of Florida.



GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Ramon A. Rodriguez; Mayra Rodriguez; Fausto Alvarez, Jr.

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$10,000,000.00): **\$10,000,000.00**

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate seal to be hereunto affixed, this 31st day of January, 2019.

Attest: Craig Johnson
Craig Johnson, President
FCCI Insurance Company



Christina D. Welch
Christina D. Welch, EVP, General Counsel,
Chief Audit & Compliance Officer, Secretary
FCCI Insurance Company

State of Florida
County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Peggy Snow
Notary Public

State of Florida
County of Sarasota

Before me this day personally appeared Cina Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Peggy Snow
Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 4th day of May, 2020

Christina D. Welch
Christina D. Welch, EVP, General Counsel,
Chief Audit & Compliance Officer, Secretary

FORM OF GUARANTEE

GUARANTEE FOR Contractor Name: D.A.C Air Conditioning Corp and Surety
Name: FCCI Insurance Company

We the undersigned hereby guarantee that the (WUD WTP #9 – exhaust fan replacement, 19468) 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 Substantial 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) working 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.

DATED _____
(Date to be filled in at substantial completion)

SEAL AND NOTARIAL
ACKNOWLEDGMENT OF SURETY

D.A.C Air Conditioning Corp
(Contractor Name) (Seal)

By: 
(Contractor Signature)

Mario L Diaz / president
(Print Name and Title)

FCCI Insurance Company
(Surety Name) (Seal)

By: 
(Surety Signature)

Ramon A Rodriguez, Atty-in-fact & FL Res Agent
(Print Name and Title)



GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Ramon A. Rodriguez; Mayra Rodriguez; Fausto Alvarez, Jr.

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$10,000,000.00): **\$10,000,000.00**

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate seal to be hereunto affixed, this 31st day of January, 2019.

Attest: Craig Johnson
 Craig Johnson, President
 FCCI Insurance Company

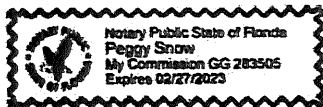


Christina D. Welch
 Christina D. Welch, EVP, General Counsel,
 Chief Audit & Compliance Officer, Secretary
 FCCI Insurance Company

State of Florida
 County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Peggy Snow
 Notary Public

State of Florida
 County of Sarasota

Before me this day personally appeared Cina Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Peggy Snow
 Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.


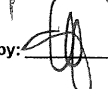
Dated this _____ day of _____,

Christina D. Welch
 Christina D. Welch, EVP, General Counsel,
 Chief Audit & Compliance Officer, Secretary

PRE-BID Mandatory
 PM: William Munker
 ANNUAL: HVAC
 API: Price Preference

BID SUMMARY

Project Name:	WUD WTP #9 - Exhaust Fan Replacement							
Project Number:	19468							
Bid Opening Date:	01/30/20							
CONTRACTOR	D.A.C. Air Corp	Quantum Mechanical, LLC	EC Stokes Mechanical Contractor, Inc.	Florida Mechanical LLC	Farmer & Irwin	The Airtex Corporation	Air Mechanical & Service Corp	
Prime S/M/WBE	Non-SBE	SBE	Non-SBE	Non-SBE	Non-SBE	SBE	Non-SBE	
BID	\$246,700.00	\$252,000.00	\$274,088.00	\$287,504.00	\$330,650.00	\$339,800.00	\$405,000.00	
BID BOND - 5%	✓	Incomplete - Not Original	✓	Check - \$14,375.20	Check - \$16,550.00	✓	✓	
ADDENDUMs 1 - ACKNOWLEDGED	✓	✓	✓	✓	✓	✓	✓	
ADDENDUMs 2 ACKNOWLEDGED	✓	✓	✓	✓	✓	✓	✓	
ADDENDUMs 3 ACKNOWLEDGED								
ADDENDUMs 4 ACKNOWLEDGED								
SBE SCHEDULE 1 <small>(Shall list the S/M/WBE Prime and the names of all subcontractors regardless of S/M/WBE.)</small>	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	
SBE PARTICIPATION	0.00%	100.00%	0.00%	0.00%	5.29%	100.00%	0.00%	
SBE SCHEDULE 2 <small>(A separate Schedule 2 must be included for each subcontractor, signed by subcontractor and Prime Contractor.)</small>	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Did not provide separate Schedule 2 for subcontractor(s)	

Bid Documents opened by: 
 Bids Documents recorded by: 

Note: Tabulation is not official until checked and certified by Capital Improvements Division

PRE-BID Mandatory
 PM: William Munker
 ANNUAL: HVAC
 API: Price Preference

BID SUMMARY

Project Name:	WUD WTP #9 - Exhaust Fan Replacement							
Project Number:	19468							
Bid Opening Date:	01/30/20							
CONTRACTOR	D.A.C. Air Corp	Quantum Mechanical, LLC	EC Stokes Mechanical Contractor, Inc.	Florida Mechanical LLC	Farmer & Irwin	The Airtex Corporation	Air Mechanical & Service Corp	
Prime S/M/WBE	Non-SBE	SBE	Non-SBE	Non-SBE	Non-SBE	SBE	Non-SBE	
BID	\$246,700.00	\$252,000.00	\$274,088.00	\$287,504.00	\$330,650.00	\$339,800.00	\$405,000.00	
BID BOND - 5%	✓	Incomplete - Not Original	✓	Check - \$14,375.20	Check - \$16,550.00	✓	✓	
ADDENDUMs 1 - ACKNOWLEDGED	✓	✓	✓	✓	✓	✓	✓	
ADDENDUMs 2 ACKNOWLEDGED	✓	✓	✓	✓	✓	✓	✓	
ADDENDUMs 3 ACKNOWLEDGED								
ADDENDUMs 4 ACKNOWLEDGED								
SBE SCHEDULE 1 <small>(Shall list the S/M/WBE Prime and the names of all subcontractors regardless of S/M/WBE.)</small>	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	
SBE PARTICIPATION	0.00%	100.00%	0.00%	0.00%	5.29%	100.00%	0.00%	
SBE SCHEDULE 2 <small>(A separate Schedule 2 must be included for each subcontractor, signed by subcontractor and Prime Contractor.)</small>	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Did not provide separate Schedule 2 for subcontractor(s)	

Bid Documents opened by: 

Bids Documents recorded by: 

Note: Tabulation is not official until checked and certified by Capital Improvements Division

Attachment # 5

PALM BEACH COUNTY
 FACILITIES DEVELOPMENT & OPERATIONS DEPARTMENT
 COMPETITIVE QUOTATION COMPARISON

Project Name: WUD WTP #9 - Exhaust Fan Replacement
 Project Number: 19468

SOLICITATION DATE: **Thursday, December 19, 2019**
 QUOTATION RECEIPT DATE: **Thursday, January 30, 2020**

	Vendor	Dollar Quotation	Comments (SBE)
1	D.A.C. Air Corp	\$246,700.00	0.00%
2	Quantum Mechanical, LLC	\$252,000.00	100.00%
3	EC Stokes Mechanical Contractor, Inc.	\$274,088.00	0.00%
4	Florida Mechanical LLC	\$287,504.00	0.00%
5	Farmer & Irwin	\$330,650.00	5.29%
6	The Airtex Corporation	\$339,800.00	100.00%
7	Air Mechanical & Service Corp	\$405,000.00	0.00%

Bid opened by: Pfancester 1/30/20
SIGNATURE DATE

Bid recorded by: [Signature] 01/30/20
SIGNATURE DATE

COMMENTS: The lowest bidder is not responsive to the SBE requirement. The lowest bid is increased by 10% (\$246,700.00 + 10% = \$271,370.00) as per the re-ranking provision of the SBE Ordinance. However, the lowest SBE responsive bidder did not provide original bid bonds. Therefore, award is recommended to D.A.C. Air Corp.

ESTIMATE: N/A

THE RECOMMENDED CONTRACTOR'S AND ANY LISTED SUB-CONTRACTORS(S) LICENSE(S) ARE CURRENT AND IN COMPLIANCE WITH PALM BEACH COUNTY REQUIREMENTS. [Signature]

THE RECOMMENDED CONTRACTOR'S INSURANCE(S) ARE CURRENT AND IN COMPLIANCE WITH PALM BEACH COUNTY REQUIREMENTS. _____

BASED ON A REVIEW OF THE ABOVE-LISTED QUOTATIONS, IT IS CONCLUDED THAT: D.A.C. Air Corp PROVIDED THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTATION.

Signature [Signature]
 Approved

Date 2/12/20
 Date

