

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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<b>Meeting Date:</b>	<b>March 5, 2024</b>	<b>Consent [X]</b>	<b>Regular [ ]</b>
		<b>Public Hearing [ ]</b>	
<b>Department:</b>	<b>Water Utilities Department</b>		

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I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Work Order (WO) No. 5 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson-Davis Incorporated (Contractor) for the Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza (Project) in the amount of \$233,184.95.

**Summary:** On May 16, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0675) with Contractor. WO No. 5 provides for the replacement of approximately 500 linear feet (LF) of Force Main (FM) serving the Turnpike West Palm Beach Service Plaza (Service Plaza). Project includes the Horizontal Directional Drilling (HDD) of 320 LF of 12-inch casing with 6-inch carrier FM under the Florida Turnpike (Turnpike) north bound lanes, and under the Lake Worth Drainage District (LWDD) E2-E Canal. Project also includes the removal of the existing 6-inch FM pipe and the grouting of the 12-inch casing.

This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 7, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 20.83% SBE participation, which includes 5.521% MBE participation, 5.38% MBE (H), and 0.13% MBE (B). WO No. 5 includes 0% SBE participation, which includes 0% MBE participation, 0% MBE (H), and 0% MBE (B). The cumulative SBE participation including WO No. 5 is 16.91% SBE participation, which includes 10.90% MBE participation, 0% MBE (H), and 0.51% MBE (B). Contractor is a Palm Beach County based company. The Projects are included in the PBCWUD FY24 budget. (PBCWUD Project No. 24-006) District 3 (MWJ)

**Background and Justification:** The existing 12-inch casing pipe and 6-inch FM responsible for conveying wastewater from the Service Plaza Lift Station eastward across the Turnpike sustained damage during the LWDD maintenance of the canal on the east side of the Turnpike. It was determined that neither of the existing pipes can be salvaged. To maintain wastewater service to the Service Plaza, PBCWUD has been utilizing vacuum trucks to dispose of the sewage until the FM can be replaced.

**Attachments:**

1. Three (3) Original of Work Order No. 5
2. Location Map
3. Ebix Compliance Summary Report

Recommended By:	<u>Ali Bayat</u>	<u>2/12/2024</u>
	<b>Department Director</b>	<b>Date</b>

Approved By:	<u>[Signature]</u>	<u>2/16/24</u>
	<b>Assistant County Administrator</b>	<b>Date</b>



WORK ORDER NO. 5  
Palm Beach County Water Utilities Department  
2022 Pipeline Continuing Construction Contract  
Resolution No. R2023-0675 Contract Dated May 16, 2023

**Project Title:** Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza

**PBCWUD Project No.:** 24-006

**Contractor:** Johnson-Davis Incorporated

**Address:** 604 Hillbrath Drive, Lantana, FL 33462

**Budget Line Item No.:** 4001-720-2521-4615

**District No.:** 3

This Work Order provides for: The replacement of approximately 500 linear feet (LF) of force main (FM) serving the Turnpike West Palm Beach Service Plaza (Service Plaza). Project includes the Horizontal Directional Drilling (HDD) of 320 LF of 12-inch casing with 6-inch carrier FM under the Florida Turnpike (Turnpike) north bound lanes, and under the Lake Worth Drainage District (LWDD) E2-E Canal. Project also includes the removal of the existing 6-inch FM pipe and the grouting of the 12-inch casing.

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(See ATTACHMENT A for detailed scope of services)

The Contract provides for 20.83% SBE participation, which includes 5.521% MBE participation, 5.38% MBE (H), and 0.13% MBE (B).

This Work Order includes 0.00% overall participation which includes, 0.00% MBE participation, 0.00% MBE (H), and 0.00% MBE (B).

The cumulative SBE participation, including this Work Order is 16.91%, which includes 10.90% MBE participation, 0.00% MBE (H), and 0.51% MBE (B).

1. Services completed by the Contractor to date :

**See ATTACHMENT B.**

2. Contractor shall begin work within ten (10) calendar days from the issuance of Notice to Proceed (NTP). Execution of the Project will be accomplished as follows from the issuance of the NTP:

Substantial Completion     90 Calendar Days

Final Completion             120 Calendar Days

Liquidated damages will apply as follows:

\$500.00 per day past substantial completion date.

\$250.00 per day past final completion date.

WORK ORDER NO. 5  
Palm Beach County Water Utilities Department  
2022 Pipeline Continuing Construction Contract  
Resolution No. R2023-0675 Contract Dated May 16, 2023

**Project Title:** Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza

**PBCWUD Project No.:** 24-006

3. The compensation to be paid to the Contractor for providing the requested services in accordance with the Contract Bid Prices is \$233,184.95.
4. The Work Order does not amend, change, or modify the Contract which remains in full force and effect.
5. All Attachments to this Work Order are incorporated herein and made a part of this Work Order.

WORK ORDER NO. 5  
Palm Beach County Water Utilities Department  
2022 Pipeline Continuing Construction Contract  
Resolution No. R2023-0675 Contract Dated May 16, 2023

**Project Title:** Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza

**PBCWUD Project No.:** 24-006

IN WITNESS WHEREOF, this Work Order is accepted, subject to the terms, conditions and obligations of the aforementioned Contract.

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

Joseph Abruzzo, Clerk of the Circuit Court  
& Comptroller, Palm Beach County  
ATTEST:

Palm Beach County, Board  
of County Commissioners

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

*Maria Sachs*  
Maria Sachs, Mayor

Typed Name: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
(Date)

Approved as to Form and Legal  
Sufficiency

Johnson-Davis Incorporated  
(Contractor)

Signed: \_\_\_\_\_

*William Orger*  
(Print Name)

Typed Name: Michael W. Jones  
County Attorney

\_\_\_\_\_  
(Signature)

*Vice President*  
(Title)

01-08-2024  
(Date)

STATE OF FLORIDA  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization,  
this 08 day of July, 2024, by William Orger who is  personally known to  
me or  has produced \_\_\_\_\_ as identification.



LARISA DITU PELKEY  
Commission # HH 178111  
Expires January 22, 2026  
Bonded Thru Budget Notary Services

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

WORK ORDER NO. 5  
Palm Beach County Water Utilities Department  
2022 Pipeline Continuing Construction Contract  
Resolution No. R2023-0675 Contract Dated May 16, 2023

**LIST OF ATTACHMENTS**

<b>ATTACHMENT A</b>	Scope of Work
<b>ATTACHMENT B</b>	Summary and Status of Work Orders
<b>ATTACHMENT C</b>	Public Construction Bond
<b>ATTACHMENT D</b>	Form of Guarantee
<b>ATTACHMENT E</b>	Schedule of Bid Items
<b>ATTACHMENT F</b>	OEBO Schedule 1 and 2
<b>ATTACHMENT G</b>	Summary of SBE-M/WBE Business Tracking
<b>ATTACHMENT H</b>	Location Map

Revised 12/20/2022

# ATTACHMENT A

## SCOPE OF WORK

PBCWUD Project No.: 24-006

Project Title: Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza

Johnson-Davis Incorporated (CONTRACTOR) shall perform:

The replacement of approximately 500 LF of FM serving the Service Plaza. Project includes the HDD of 320 LF of 12-inch casing with 6-inch carrier FM under the Turnpike north bound lanes, and under the LWDD E2-E Canal. Project also includes the removal of the existing 6-inch FM pipe and the grouting of the 12-inch casing. The existing 12-inch casing pipe and 6-inch FM responsible for conveying wastewater from the Service Plaza Lift Station eastward across the Turnpike sustained damage during the LWDD maintenance of the canal on the east side of the Turnpike. The pipe runs north along the west side of the Turnpike north bound lanes, crossing the Turnpike with a 12-inch casing and the E2-E Canal to go to Palm Beach County Water Utilities Department (PBCWUD) Central Regional Operation Center (CROC). At this moment the public lift station and the FM have been deactivated (no flow). PBCWUD has Vacuum (VAC) trucks at the Service Plaza taking care of the sewage to avoid any spillage.

Inspection by PBCWUD of the condition of the existing 6-inch FM and casing pipe (installed via HDD under the LWDD E2-E Canal) determined that neither can be salvaged. This project involves installing approximately 320 linear feet of new 12-inch High Density Polyethylene (HDPE) Standard Dimension Ratio (SDR) 11 casing pipe, housing a 6-inch HDPE SDR 11 FM, including end seals and connection on each side of the HDD to the existing FM.

Access to the Turnpike side has been granted under FDOT Permit #2023-H-853-00108 (TP-93-UT-167-23).

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Revised 12/20/2022

## ATTACHMENT B

### SUMMARY AND STATUS OF WORK ORDERS

Work Order No.	PBCWUD Project No.	Title	Status	Project Total Amount	SBE Total Amount	SBE Participation %	Approved	
							By	Date
1	19-051	Seminole Pratt whitney Road & Northlake Boulevard Widening Utility improvements	Open	\$199,230.61	\$0.00	0.00%	CRC	10/11/2023
2	23-050	Emergency By-pass Piping	Open	\$97,600.00	\$0.00	0.00%	WUD	10/10/2023
3	15-102	Water Distribution System Improvements	Open	\$970,146.33	\$204,978.55	21.12%	BCC	11/7/2023
4	15-102	Water Distribution System Improvements	Open	\$1,031,495.73	\$223,267.25	21.64%	BCC	11/7/2023
5	24-006	Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza	Pending	\$233,184.95	\$0.00	0.00%	BCC	Pending





Liberty Mutual Surety

December 6, 2023

Palm Beach County  
8100 Forest Hill Boulevard  
West Palm Beach, FL 33413

RE: **Johnson-Davis, Incorporated**  
Bond No. 016241394  
Project: Force Main Replacement; FL Turnpike North of West Palm  
Beach Service Plaza, PBCWUD Project No. 24-006

To Whom It May Concern:

Please be advised that as Surety on the above referenced bond, we hereby authorize Palm Beach County to add the contract date to the referenced Bond(s) & Powers of Attorney after executing the contract when the contract date is known.

Sincerely,

LIBERTY MUTUAL INSURANCE COMPANY

Nicole Stillings, Attorney-in-Fact

Member of Liberty Mutual Group

**ATTACHMENT C**

**PUBLIC CONSTRUCTION BOND – WORK ORDER NO. 5  
TO 2022 Pipeline Continuing Construction Contract  
Resolution No. R2023-0675 Contract Dated May 16, 2023**

PROJECT TITLE: Force Main Replacement: FL Turnpike North of West Palm Beach Service Plaza

PBCWUD PROJECT NO.: 24-006

BOND NUMBER: 016241394

WORK ORDER/BOND AMOUNT: \$233,184.95

CONTRACTOR'S NAME: Johnson-Davis Incorporated

CONTRACTOR'S ADDRESS: 604 Hillbrath Drive, Lantana, FL 33462

CONTRACTOR'S PHONE: (561) 588-1170

SURETY COMPANY: Liberty Mutual Insurance Company

SURETY'S ADDRESS: 175 Berkeley Street, Boston, MA 02116

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: 8100 Forest Hill Boulevard  
West Palm Beach, FL 33413

OWNER'S PHONE: (561) 493-6000

DESCRIPTION OF WORK: Replacement of approximately 400 LF of 12-inch casing with a 6-inch FM HDDE including all appurtenances and site restoration.

PROJECT LOCATION: Florida Turnpike mile marker 95, north of the West Palm Beach Service Plaza

LEGAL DESCRIPTION: Section 17; Township 44; Range 42

Revised 12/20/2022

## PUBLIC CONSTRUCTION BOND

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Work Order No. 5 to 2022 Pipeline Continuing Construction Contract Contract Resolution No. R2023-0675 dated on May 16, 2023.

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

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

as Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of Two Hundred Thirty-Three Dollars One Hundred Eighty-Four and Ninety-Five Cents, \$233,184.95,

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\_\_\_\_, entered into Work Order No. 5 to 2022 Pipeline Continuing Construction Contract Contract Resolution No. R2023-0675 with the County for

Work Order Project Name: Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza

Work Order Project No.: 24-006

Project Description: Replacement of approximately 400 LF of 12-inch casing with a 6-inch FM HDDE including all appurtenances and site restoration.

Project Location: Florida Turnpike mile marker 95, north of the West Palm Beach Service Plaza

in accordance with Design Criteria Drawings and Specifications prepared by

Name of Design Firm: Palm Beach County Water Utilities Department

Location of Firm: 8100 Forest Hill Blvd, West Palm Beach, FL 33413

Phone: (561) 493-6000

Fax: \_\_\_\_\_

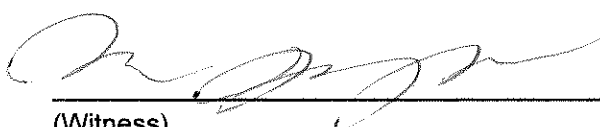
which Work Order No. 5 to 2022 Pipeline Continuing Construction Contract Contract Resolution No. R2023-0675 is by reference made a part hereof in its entirety, and is hereinafter referred to as the Work Order.

1. THE CONDITION OF THIS BOND is that if Principal:

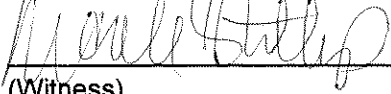
- a. Performs the Work Order dated \_\_\_\_\_, 20\_\_\_\_, between Principal and County for the construction of the above project, the Work Order being made a part of this bond by reference, at the times and in the manner prescribed in the Work Order; and

Revised 12/20/2022

- b. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the Work Order; and
  - c. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, that County sustains because of a default by Principal under the Work Order; and
  - d. Performs the guarantee of all work and materials furnished under the Work Authorization for the time specified in the Work Order; then this bond is void; otherwise it remains in full force.
2. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the Work Order or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.
  3. 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.
  4. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the Work Order are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverage's and limitations of this instrument.
  5. 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.
  6. Any action brought under this instrument shall be brought in the state court of competent jurisdiction in Palm Beach County, Florida and not elsewhere.

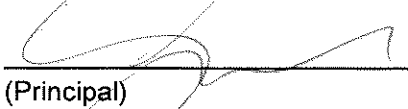
  
 \_\_\_\_\_  
 (Witness)

*Larisa De la Becke*  
 \_\_\_\_\_  
 (Print Name)

  
 \_\_\_\_\_  
 (Witness)


Nicole Stillings  
 \_\_\_\_\_  
 (Print Name)

Johnson-Davis Incorporated

  
 \_\_\_\_\_  
 (Principal)  
 (seal)

*WILLIAM OGBURN*  
 \_\_\_\_\_  
 (Print Name)

*VICE PRESIDENT*  
 \_\_\_\_\_  
 (Title)  
 Liberty Mutual Insurance Company

  
 \_\_\_\_\_  
 (Surety)  
 (seal)

Joshua R. Loftis  
 \_\_\_\_\_  
 (Print Name)

Attorney-in-Fact  
 \_\_\_\_\_  
 (Title)



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

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

Certificate No: 8210698 - 190054

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brian J. Oestreich, Colby D White, Emily White, Joshua R. Loftis, Lin Ulven, Melinda C. Blodgett, Michelle Morrison, Nathan Weaver, Nicole Stillings, R. C. Bowman, R. W. Frank, Rachel Thomas, Ross S. Squires, Sandra M. Engstrum, Sarah Dragt, Ted Jorgensen, Tina Domask

all of the city of Minneapolis state of MN each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 31st day of August, 2023.



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

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 31st day of August, 2023 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

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



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



By: Renee C. Llewellyn, Assistant Secretary

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

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

**ATTACHMENT D**

**FORM OF GUARANTEE**

GUARANTEE FOR (Contractor and Surety Name)

Johnson-Davis Incorporated and Liberty Mutual Insurance Company

We the undersigned hereby guarantee that the 2022 Pipeline Continuing Construction Contract Contract, Resolution No. R2023-0675, Contract Dated May 16, 2023, PBCWUD Project No. 24-006, Work Order No. 5, Project Title: Force Main Replacement, FL Turnpike North of West Palm Beach Service Plaza, Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of our work, together with any work of others which may be damaged in so doing, that may prove to be defective in the workmanship or materials within a period of one year from the date of Final Completion of all of the above named work by the County of Palm Beach, State of Florida, without any expense whatsoever to said County of Palm Beach, ordinary wear and tear and unusual abuse or neglect excepted by the County. The date of Final Completion shall be the date set forth on the fully executed and acknowledged Contractor's Certification of Final Completion form. When correction work is started, it shall be carried through to completion.

In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand.

County and Contractor agree that the provisions of Florida Statute Chapter 558 shall not apply to this Contract/Agreement.

**SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY**

Johnson-Davis Incorporated

(Contractor)

By: \_\_\_\_\_

(Signature)

William Rogers, V.P.  
(Print Name)

Liberty Mutual Insurance Company

(Surety)

By: \_\_\_\_\_

(Signature)

\_\_\_\_\_  
(Seal)

Joshua R. Loftis, Attorney-in-Fact  
(Print Name)



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

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

Certificate No: 8210698 - 190054

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brian J. Oestreich, Colby D White, Emily White, Joshua R. Loftis, Lin Ulven, Melinda C. Blodgett, Michelle Morrison, Nathan Weaver, Nicole Stillings, R. C. Bowman, R. W. Frank, Rachel Thomas, Ross S. Squires, Sandra M. Engstrom, Sarah Dragt, Ted Jorgensen, Tina Domask

all of the city of Minneapolis state of MN each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 31st day of August, 2023.



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

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 31st day of August, 2023 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

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



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this day of



By: Renee C. Llewellyn, Assistant Secretary

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

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

## ATTACHMENT E SCHEDULE OF BID ITEMS

Palm Beach County Water Utilities Department

2022 Pipeline Continuing Construction Contract

Contract Resolution No. R2023-0675

Contract Dated;

May 16, 2023

Work Authorization No.: 5

Contractor Name: Johnson-Davis Incorporated

Project Name: Force Main Replacement: FL Turnpike North of West Palm Beach Service Plaza

PBCWUD Project No.: 24-006

Bid Item No.	Item (Furnish and Install with Appurtenances)	Units	Quantity	Units	Total
3	4" DIP Push-On Joint Wastewater Force Main	LF	80	\$120.00	\$9,600.00
4	6" PVC Push-On Joint Water Main/Reclaimed Water Main/Wastewater Force Main	LF	60	\$55.00	\$3,300.00
6	6" DIP Push-On Joint Wastewater Force Main	LF	40	\$105.00	\$4,200.00
34	Ductile Iron Fittings for Wastewater Force Main	Tons	0.1	\$18,000.00	\$1,800.00
36	6" HDPE Directional Drill Water Main/Reclaimed Water Main/Wastewater Force Main	LF	320	\$65.00	\$20,800.00
39	12" HDPE Directional Drill Water Main/Reclaimed Water Main/Wastewater Force Main	LF	320	\$150.00	\$48,000.00
45	6" DIP/PVC x HDPE Adapter	EA	2	\$1,200.00	\$2,400.00
53	4" Mechanical Joint Restraint for DIP	EA	11	\$250.00	\$2,750.00
54	6" Mechanical Joint Restraint for DIP	EA	10	\$275.00	\$2,750.00
66	6" Mechanical Joint Restraint for PVC	EA	13	\$300.00	\$3,900.00
72	4" Joint Restraint Gasket DIP (Field Lock or Fast Grip)	EA	3	\$75.00	\$225.00
78	4" PVC Pressure Pipe Restraint Harness	EA	1	\$150.00	\$150.00
79	6" PVC Pressure Pipe Restraint Harness	EA	1	\$200.00	\$200.00
87	Restrain existing 6" PVC Pressure Pipe	EA	1	\$2,000.00	\$2,000.00
102	4" Gate Valve & Valve Box	EA	2	\$1,800.00	\$3,600.00
103	6" Gate Valve & Valve Box	EA	2	\$2,000.00	\$4,000.00
196	2" Air Release Valve W/Manhole for Wastewater Main	EA	1	\$14,000.00	\$14,000.00
219	Valve Box Adjustment	EA	4	\$500.00	\$2,000.00
234	4" to 12" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint Restraint for existing pipe to be included)	EA	2	\$8,000.00	\$16,000.00
237	Grouting/Deactivation of Existing 4" Pipe	LF	10	\$12.00	\$120.00
238	Grouting/Deactivation of Existing 6" Pipe	LF	450	\$14.00	\$6,300.00
241	Grouting/Deactivation of Existing 12" Pipe	LF	310	\$25.00	\$7,750.00
260	Bahia Sod	SY	1,000	\$8.00	\$8,000.00
263	Record Drawing	LF	500	\$3.00	\$1,500.00
264	Construction Survey	LF	500	\$3.00	\$1,500.00
265	Preconstruction Video Taping	LF	1,000	\$2.50	\$2,500.00
269	Maintenance of FDOT Roadway	LF	4,900	\$6.00	\$29,400.00
270	Density Tests	EA	16	\$75.00	\$1,200.00
271	Proctor Tests	EA	2	\$125.00	\$250.00
275	Flowable Fill	CY	0	\$300.00	\$0.00
276	Compacted Clean Fill	CY	18	\$24.00	\$432.00
278	Rock Removal	CY	18	\$500.00	\$9,000.00



279	Remove & Replace Signs	EA	2	\$300.00	\$600.00
314	4" Single Line Stop (for PVC/DIP/CIP/AC)	EA		\$6,300.00	\$0.00
315	6" Single Line Stop (for PVC/DIP/CIP/AC)	EA		\$10,000.00	\$0.00
329	4" Insertion Valves (for PVC/DIP/CIP/AC)	EA		\$9,000.00	\$0.00
330	6" Insertion Valves (for PVC/DIP/CIP/AC)	EA		\$10,500.00	\$0.00
331	8" Insertion Valves (for PVC/DIP/CIP/AC)	EA		\$12,500.00	\$0.00
332	10" Insertion Valves (for PVC/DIP/CIP/AC)	EA		\$18,500.00	\$0.00
333	12" Insertion Valves (for PVC/DIP/CIP/AC)	EA		\$20,000.00	\$0.00
<b>(A) SUBTOTAL BASE BID (Bid Items 1-333)</b>					<b>\$210,227.00</b>
334	Additional Work not included in Bid Items (See Items 334A-334C Below)	LS	1	\$15,600.00	<b>\$15,600.00</b>
335	Mobilization (2.5% of Subtotal Bid Price [A])	LS	1	2.50%	\$5,255.68
336	Demobilization (1% of Subtotal Bid Price [A])	LS	1	1.00%	\$2,102.27
<b>(B) SUBTOTAL ADDITIONAL WORK BID PRICE (Bid Items 334-336)</b>					<b>\$22,957.95</b>
<b>TOTAL BID PRICE (A + B)</b>					<b>\$233,184.95</b>

Additional Work not included in Bid Items (See Items 334 Above):

334A	Flushing Port per PBCWUD Detail 37S	Each	1	\$4,900.00	\$4,900.00
334C	General Conditions	Lump Sum	1	\$8,800.00	\$8,800.00
334B	Restrain Exist 4" DIP Pressure Pipe	Each	1	\$1,900.00	\$1,900.00

**Total Bid Price in Letters:**

**Two Hundred Thirty-Three Dollars One Hundred Eighty-Four and Ninety-Five Cents**

**ATTACHMENT F**

**OEBO SCHEDULE 1**

**Office of Equal Business Opportunity Compliance Programs**

**OEBO SCHEDULE 1**

SOLICITATION/PROJECT/BID NAME: Force Main Replacement; Turnpike North of West Palm Beach Service Plaza SOLICITATION/PROJECT/BID NO.: 24-006  
 SOLICITATION OPENING/SUBMITTAL DATE: May 16, 2023 COUNTY DEPARTMENT: Palm Beach County Water Utilities Department

**Section A** PLEASE LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME CONTRACTOR/CONSULTANT\* ON THE PROJECT:  
 NAME OF PRIME RESPONDENT/BIDDER: Johnson-Davis Incorporated ADDRESS: 604 Hillbrath Drive, Lantana, FL 33462  
 CONTACT PERSON: William Cryer PHONE NO.: (561) 588-1170 E-MAIL: ccryer@johnsondavis.com  
 PRIME'S DOLLAR AMOUNT OR PERCENTAGE OF WORK: \$182,034.95  
 \*SMWBE Prime's must include their percentage or dollar amount in the Total Participation line under section B.  Non-SBE  MBE  WBE  SBE

**Section B** PLEASE LIST THE DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SUBCONTRACTORS/SUBCONSULTANTS ON THE PROJECT BELOW:

Subcontractor/Sub consultant Name	(Check all Applicable Categories)				DOLLAR AMOUNT OR PERCENTAGE OF WORK					
	Non-SBE	MBE Minority Business	WBE Women Business	SBE Small Business	Black	Hispanic	Women	Caucasian	Asian	Other
	1. K3 Directional Drilling Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						

(Please use additional sheets if necessary) Total \$51,150.00  
(Non SBE)

Total Bid/Offer Price \$ 233,184.95 Total Certified S/M/WBE Participation \$ 0.00  
 I hereby certify that the above information is accurate to the best of my knowledge: William Cryer Vice President  
Name & Authorized Signature Title

- Note:**
- The amount listed on this form for a Subcontractor/sub consultant must be supported by price or percentage listed on the properly executed Schedule 2 or attached signed proposal.
  - Only those firms certified by Palm Beach County at the time of solicitation due date are eligible to meet the established OEBO Affirmative Procurement initiative (API). Please check the applicable box and list the dollar amount or percentage under the appropriate demographic category.
  - Modification of this form is not permitted and will be rejected upon submittal.

**ATTACHMENT F**

**OEBO SCHEDULE 2**

**Office of Equal Business Opportunity Compliance Programs**

**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: 24-006

SOLICITATION/PROJECT NAME: Force Main Replacement; Turnpike North of West Palm Beach Service Plaza

Prime Contractor: Johnson-Davis Incorporated Subcontractor: K3 Directionall Drilling 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):

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

**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
	Horizontal Directional Drilling	1	LS	0	\$51,150.00

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: \$51,150.00

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.

N/A

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

Price or Percentage: \_\_\_\_\_

Johnson-Davis Incorporated

Print Name of Prime

By: \_\_\_\_\_

Authorized Signature

William Clark

Print Name

Vice President

Title

Date: 04/08/24

K3 Directionall Drilling Inc.

Print Name of Subcontractor/subconsultant

By: \_\_\_\_\_

Authorized Signature

Lewis Krantz

Print Name

VP

Title

Date: 1/4/24

**ATTACHMENT G**

Palm Beach County Water Utilities Department  
2022 Pipeline Continuing Construction Contract  
Resolution No. R2023-0675 Contract Dated May 16, 2023

**SUMMARY OF  
SBE-M/WBE BUSINESS TRACKING**

<b>Master Contract Goals</b>	<b>SBE: <u>20.83%</u></b>	<b>MBE: <u>5.521%</u></b>	<b>MBE (Black): <u>0.13%</u></b>	<b>MBE (H): <u>5.38%</u></b>
<b>Current Proposal</b>				
Value of Work Order No. <u>5</u>	<b>\$233,184.95</b>			
Value of SBE-M/WBE Letters of Intent	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Actual Percentage	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>
<b>Signed/Approved Work Orders</b>				
Total Value of Work Orders	<b>\$2,298,472.67</b>			
Total Value of SBE-M/WBE Signed Subcontractors	<b>\$428,245.80</b>	<b>\$276,052.57</b>	<b>\$13,110.00</b>	<b>\$0.00</b>
Actual Percentage	<b>18.63%</b>	<b>12.01%</b>	<b>0.57%</b>	<b>0.00%</b>
<b>Signed/Approved Work Orders Plus Current Proposal</b>				
Total Value of Work Orders	<b>\$2,531,657.61</b>			
Total Value of Subcontractors & Letters of Intent	<b>\$428,245.80</b>	<b>\$276,052.57</b>	<b>\$13,110.00</b>	<b>\$0.00</b>
Actual Percentage	<b>16.91%</b>	<b>10.90%</b>	<b>0.51%</b>	<b>0.00%</b>

**ATTACHMENT H**

**Location Map**

**PBCWUD Project No. 24-006**

Revised 12/20/2022

ATTACHMENT H  
LOCATION MAP  
PBCWUD PROJECT No. 24-006



Revised 12/20/2022