OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

# Memorandum

MIAMI-DADE COUNTY

**Date:** December 15, 2009

**To:** Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

**From:** George M. Burgess
County Manager

Agenda Item No. 8(R)(1)(A)

**Resolution No. R-1432-09**

**Subject:** Contract Award Recommendation for South Miami Heights Water Treatment Plant (SMHWTP) Reservoir and High Service Pump Station - Project No: N/A; Contract No: W-857 (A), in the amount of $16,287,364.16, to Poole & Kent Company of Florida

---

## RECOMMENDATION

This recommendation to award construction Contract No. W-857 (A) to Poole & Kent Company of Florida in the amount of $16,287,364.16 has been prepared by the Miami-Dade Water and Sewer Department (WASD) and is recommended for approval pursuant to Miami-Dade County Code, Section 2-8.2.11, Water and Sewer Department Contracting Authority. This project is one in a series of projects under the 20-Year Water Use Permit issued by the South Florida Water Management District on November 15, 2007, which will improve the water supply to customers south of the Alexander Orr Water Treatment Plant and provide increased reliability of WASD's distribution system during emergencies.

## DELEGATION OF AUTHORITY

The authority of the County Mayor or County Mayor's designee to execute and implement this contract is consistent with those authorities granted under the Code of Miami-Dade County.

## SCOPE

**PROJECT NAME:** South Miami Heights Water Treatment Plant (SMHWTP) Reservoir and High Service Pump Station

**PROJECT NO:** N/A

**CONTRACT NO:** W-857 (A)

**PROJECT DESCRIPTION:** The work consists of furnishing all materials, labor, and equipment necessary to construct a reservoir and a high service pump station as part of the new 20 MGD South Miami Heights Water Treatment Plant.

The scope of work includes, but it is not limited to the following: constructing a five (5) million-gallon reinforced concrete reservoir tank with influent and effluent flumes and a high service pump building; furnishing and installing four (4) 500 horse power high service pumps and motors; coordination with other on-going projects at the site; clearing and grubbing; grading; removing all debris and excess material; furnishing and installing ductile iron pipe, fittings, valves, and accessories; cleaning, disinfecting and testing the mains; constructing a venturi pit with magnetic and turbine flow meters, meter vaults, and concrete valve boxes; furnishing and installing auger-cast concrete piles and concrete mat foundation for the structures; furnishing and installing compressed air system; furnishing and installing a pump priming system; furnishing and installing roof-top

air supply fans in pump room, including air ducts and accessories; constructing a 5-ton bridge crane and related equipment in the pump room; furnishing and installing motor control center (MCC), station level controller, control panels, lighting panels, and a SCADA system, with two (2) roof top 17-ton A/C units, including air ducts, supply diffusers, return air grilles, and accessories; furnishing temporary power sources, load banks, test materials, and test instrumentation; constructing concrete stairs with railings; constructing the earth berms, planters, and retaining walls; restoration of irrigation and landscaping; and furnishing and application of miscellaneous coatings and paint to exterior and interior of structures. Also, as part of the project the contractor has to supply an Integrations Engineer responsible for system integration, coordination, and testing of all equipment, instrumentation, SCADA, and signaling, to assure proper functioning of the facility; and all other appurtenant and miscellaneous items.

It is WASD's intent to obtain a completely functional and satisfactory installation under this project, and any items of labor, equipment or materials which may be reasonably assumed as necessary to accomplish this end shall be supplied whether or not they are specifically shown on the plans or stated in the specifications. The contractor shall provide all sheeting, shoring, bracing and all other labor, material or equipment required to preclude damage to, or loss of functionality of, any existing facility or system.

**PROJECT LOCATION:** 11800 SW 208 Street, South Miami Heights, in Miami-Dade County, Florida

**PROJECT SITES:**

| SITE # | LOCATION 1 | DIST | ESTIMATE | T-S-R |
|---|---|---|---|---|
| #68623 | 11800 SW 208 St | 9 | $16,287,364.16 | 56-12-39 |

**PRIMARY COMMISSION DISTRICT:** District 9 Dennis C. Moss

**APPROVAL PATH:** Special Section 2-8.2.11 of the Miami-Dade County Code

**USING DEPARTMENT:** Miami-Dade Water and Sewer Department

**MANAGING DEPARTMENT:** Miami-Dade Water and Sewer Department

**ADDITIONAL FUNDING DEPARTMENT:** Miami-Dade Water and Sewer Department

**FISCAL IMPACT / FUNDING SOURCE**

**OPERATIONS COST IMPACT / FUNDING:** $450,000 per year. The funding source is the Operations and Maintenance (O & M) budget from WASD.

**MAINTENANCE COST IMPACT / FUNDING:** $100,000 per year. The funding source is the Operations and Maintenance (O & M) budget from WASD.

**LIFE EXPECTANCY OF ASSET:** 50 years

| FUNDING SOURCES: | SOURCE | PROJECT NUM | SITE # | AMOUNT |
|---|---|---|---|---|
| | WATER CONNECTION CHARGES, AND FUTURE WASD REVENUE BONDS | N/A | N/A | $16,287,364.16 |

**PTP FUNDING:** No

**GOB FUNDING:** No

**ARRA FUNDING:** No

**CAPITAL BUDGET PROJECT:**

| CAPITAL BUDGET PROJECT # - DESCRIPTION | AWARD ESTIMATE |
|---|---|
| 9652821- SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT AND WELLFIELD Book Page:269, Volume # 3 Funding Year: Proposed Capital Budget Book for FY 2009-10, as adopted, Prior Years' Funds through FY 2014-15 Funds | $16,287,364.16 |

**PROJECT TECHNICAL CERTIFICATION REQUIREMENTS:** One of the following licenses is required: General Engineering, General Contractor, and/or any other category as applicable to Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.

**BID PACKAGES ISSUED:** 75

**BIDS RECEIVED:** 9

**CONTRACT PERIOD:** 550 Days.

**CONTINGENCY PERIOD:** 55 Days.

**IG FEE INCLUDED IN BASE CONTRACT:** Yes

**ART IN PUBLIC PLACES:** No

**BASE ESTIMATE:** $18,370,000.00 The project will be awarded to the contractor with the lowest evaluated bid.

**BASE CONTRACT AMOUNT:** $13,705,632.00

**EXPLANATION:** WASD received nine (9) bids for this project, six (6) of which were under the Engineer's estimate. WASD's recommendation is to award this contract to the low responsive and responsible bidder, Poole & Kent Company of Florida, whose base bid is 25.39% under the Engineer's base estimate. There was a 7.5% difference between the two lowest bidders and a 3.7% difference between the second and third lowest bidders, showing good competition.

**AWARD OPTION TO EXTEND:**

| AMOUNT: | DAYS: | EXTENSION COMMENT: |
|---|---|---|
| $0.00 | 0 | |

| CONTINGENCY | TYPE | PERCENT | AMOUNT | COMMENT |
|---|---|---|---|---|
| ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE): | Infrastructure | 10% | $1,370,563.20 | |
| PERMIT FEES : | $411,168.96 | 3.00% | | |
| BRISTOL, INC. PROGRAMMING & INSTRUMENATION: | $400,000.00 | 2.92% | | |
| DEMOLITION OF ABANDONED UNDERGROUND UTILITIES AND REMOVAL OF UNSUITABLE SOILS : | $200,000.00 | 1.46% | | |
| HAULING AND LEGAL DISPOSAL OF ABANDONED UTILITIES AND UNSUITABLE SOILS : | $200,000.00 | 1.46% | | |
| TOTAL DEDICATED ALLOWANCE: | $1,211,168.96 | | | |
| TOTAL AMOUNT: | $16,287,364.16 | | | |

**TRACK RECORD / MONITOR**

| | |
|---|---|
| SBD HISTORY OF VIOLATIONS: | None |
| PERFORMANCE HISTORY: | In 2008, Poole & Kent Company of Florida was awarded three (3) high level disinfection multi-year projects at the County's South District Wastewater Treatment Plant for which final evaluations are not available for two (2) of the projects because they are still ongoing. The completed evaluation gives Poole & Kent Company of Florida 4 points out of a possible 4 points, which is indicative of excellent performance. The two (2) interim evaluations confirm that Poole & Kent Company of Florida's performance is well above average. |
| BID OPEN DATE: | 6/3/2009 |
| BID BOND EXPIRES: | 12/26/2009 |
| BID VALID UNTIL: | 12/26/2009 |
| ESTIMATED NOTICE TO PROCEED: | 01/06/2010 |
| PRIME CONTRACTOR: | Poole & Kent Company of Florida |
| COMPANY PRINCIPAL: | Steven C. Jordan |

| | |
|---|---|
| **COMPANY QUALIFIERS:** | David A. Strickland |
| **COMPANY EMAIL ADDRESS:** | 'robert_oates@emcorgroup.com' |
| **COMPANY STREET ADDRESS:** | 1781 NW North River Drive |
| **COMPANY CITY-STATE-ZIP:** | Miami, Florida 33125 |
| **YEARS IN BUSINESS:** | 60 years |
| **PREVIOUS CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS:** | According to the Firm History Report provided by the Department of Small Business Development, Poole & Kent Company of Florida has received 3 contracts with a total value of $161,180,454.15. |
| **SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):** | Shoreline Foundation, Inc., DODEC, Inc., Bristol Emerson Process Management, Inc., Southland Painting Corp., Vanderbilt Developments, Inc., Advanced Overhead Systems Incorporated, Lehman Pipe and Plumbing Supply, Inc., Ferguson Waterworks, Moss- Kelley, Inc. and American Cast Iron Pipe Company |
| **MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS:** | No |
| **STANDARD PAYMENT AND PERFORMANCE BOND:** | Yes |
| **REVIEW COMMITTEE:** | **MEETING DATE:** 12/23/2008 **SIGNOFF DATE:** 12/23/2008 |
| **RESPONSIBLE WAGES:** | Yes |

**REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:**

| TYPE | GOAL | ESTIMATED VALUE | COMMENT |
|---|---|---|---|
| CSBE | 13.00% | $1,959,905.38 | The estimated value is based on the base contract amount plus the 10% Contingency Allowance. |
| CWP | 0.00% | 0 | Not Applicable |

| | | | |
|---|---|---|---|
| **MANDATORY CLEARING HOUSE:** | Yes | | |
| **CONTRACT MANAGER NAME/ PHONE/ EMAIL:** | Isaac Smith | 786-268-5196 | ISMIT01@miamidade.gov |
| **PROJECT MANAGER NAME/ PHONE/ EMAIL:** | Brian Trujillo, P.E. | 305-275-3101 | BTRUJ01@miamidade.gov |

**BACKGROUND**

**BACKGROUND:** This project consists of furnishing all materials, labor, and equipment necessary to construct a reservoir and a high service pump station as part of the new 20 MGD South Miami Heights Water Treatment Plant. Also, this project is one in a series of projects under the 20-Year Water Use Permit issued by the South Florida Water Management District on November 15, 2007, which will improve the water supply to customers south of the Alexander Orr Water Treatment Plant and provide increased reliability of WASD's distribution system during emergencies.

---

| | | |
|---|---|---|
| **BUDGET APPROVAL FUNDS AVAILABLE:** | pc **OSBM DIRECTOR** | 11/23/09 **DATE** |
| **APPROVED AS TO LEGAL SUFFICIENCY:** | **COUNTY ATTORNEY** | 10/21/09 **DATE** |
| **CAPITAL IMPROVEMENTS CONCURRENCE:** | N/A **OCI DIRECTOR** | **DATE** |
| | **ASSISTANT COUNTY MANAGER** | **DATE** |
| **CLERK DATE** | **DATE** | |

---

**SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT**
**RESERVIOR AND HIGH SERVICE PUMP STATION**

**CONTRACT NO: W-857 (A)**

**BUDGET PROJECT AND DESCRIPTION:** 9652821 - SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT AND WELLFIELD

**FUNDING SOURCE:** WATER CONNECTION CHARGES AND FUTURE WASD REVENUE BONDS

**ASSISTANT DIRECTOR, WATER SYSTEM OPERATIONS:** 10/29/09
RAFAEL A. TERRERO, P.E. DATE

**ASSISTANT DIRECTOR, ENGINEERING AND CAPITAL IMPROVEMENTS:** 11/3/2009
EDUARDO A. VEGA, P.E. DATE

**WATER AND SEWER BUDGETARY AND FINANCIAL ADVISOR TO THE DIRECTOR:** 11/3/09
PEDRO L. VELAR DATE

**ASSISTANT DIRECTOR, FINANCE:** 11/3/09
DIANE CAMACHO DATE

**DEPUTY DIRECTOR, REGULATORY COMPLIANCE AND CAPITAL IMPROVEMENTS:** 11/3/09
DOUG L. YODER, Ph.D. DATE

# MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: December 15, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(R)(1)(A)

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

✓ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____ ) to approve

✓ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

8

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(R)(1)(A)
12-15-09

RESOLUTION NO. **R-1432-09**

RESOLUTION APPROVING CONSTRUCTION CONTRACT NO. W-857(A) IN THE AMOUNT OF $16,287,364.16 TO POOLE & KENT COMPANY OF FLORIDA FOR THE CONSTRUCTION OF A RESERVOIR AND A HIGH SERVICE PUMP STATION FOR THE 20 MILLION GALLONS PER DAY SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

**WHEREAS,** this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board hereby approves construction Contract No. W-857(A) to Poole & Kent Company of Florida in the amount of $16,287,364.16 for the construction of a reservoir and high service pump for the 20 million gallons per day South Miami Heights Water Treatment Plant pursuant to Section 2-8.2.11 of the Miami-Dade County Code; in substantially the form on file with the Clerk, an excerpt of which is attached hereto and made a part hereof; and authorizes the Mayor or Mayor's designee to execute same and to exercise the provisions contained therein.

The foregoing resolution was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

| | | | |
|---|---|---|---|
| Bruno A. Barreiro | **aye** | Audrey M. Edmonson | **absent** |
| Carlos A. Gimenez | **aye** | Sally A. Heyman | **aye** |
| Barbara J. Jordan | **absent** | Joe A. Martinez | **aye** |
| Dorrin D. Rolle | **aye** | Natacha Seijas | **aye** |
| Katy Sorenson | **aye** | Rebeca Sosa | **aye** |
| Sen. Javier D. Souto | **aye** | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman

**SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT AND WELLFIELD** PROJECT # 9652821

DESCRIPTION: Construct water treatment plant, wellfields and various water transmission mains in South Miami-Dade County

LOCATION: 11800 SW 208 St
Unincorporated Miami-Dade County

DISTRICT LOCATED: 9
DISTRICT(s) SERVED: Systemwide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

| REVENUE SCHEDULE: | PRIOR | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | FUTURE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| Fire Hydrant Fund | 1,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,000 |
| Water Connection Charges | 10,520 | 4,121 | 5,652 | 1,400 | 0 | 0 | 0 | 0 | 21,693 |
| WASD Revenue Bonds Sold | 9,993 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9,993 |
| Future WASD Revenue Bonds | 0 | 0 | 20,244 | 21,588 | 0 | 0 | 0 | 0 | 41,832 |
| Water Construction Fund | 16,881 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16,881 |
| WASD Water Commercial Paper | 0 | 4,117 | 0 | 0 | 0 | 0 | 0 | 0 | 4,117 |
| **TOTAL REVENUE:** | **38,394** | **8,238** | **25,896** | **22,988** | **0** | **0** | **0** | **0** | **95,516** |

| EXPENDITURE SCHEDULE: | PRIOR | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | FUTURE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| Planning and Design | 1,760 | 1,508 | 3,150 | 2,183 | 91 | 0 | 0 | 0 | 8,692 |
| Construction | 17,576 | 15,065 | 31,468 | 21,806 | 909 | 0 | 0 | 0 | 86,824 |
| **TOTAL EXPENDITURES:** | **19,336** | **16,573** | **34,618** | **23,989** | **1,000** | **0** | **0** | **0** | **95,516** |

**SOUTH MIAMI-DADE WATER TRANSMISSION MAINS IMPROVEMENTS** PROJECT # 9650021

DESCRIPTION: Construct various water transmission mains to serve South Miami-Dade County after the new South Miami Heights water treatment plant is in service

LOCATION: South Miami-Dade County
Systemwide

DISTRICT LOCATED: Systemwide
DISTRICT(s) SERVED: Systemwide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

| REVENUE SCHEDULE: | PRIOR | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | FUTURE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| Future WASD Revenue Bonds | 0 | 0 | 1,006 | 5,511 | 5,288 | 0 | 0 | 0 | 11,805 |
| **TOTAL REVENUE:** | **0** | **0** | **1,006** | **5,511** | **5,288** | **0** | **0** | **0** | **11,805** |

| EXPENDITURE SCHEDULE: | PRIOR | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | FUTURE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| Planning and Design | 0 | 0 | 92 | 502 | 481 | 0 | 0 | 0 | 1,075 |
| Construction | 0 | 0 | 914 | 5,009 | 4,807 | 0 | 0 | 0 | 10,730 |
| **TOTAL EXPENDITURES:** | **0** | **0** | **1,006** | **5,511** | **5,288** | **0** | **0** | **0** | **11,805** |



11

TRAVELERS

*Travelers Casualty and Surety Company of America*
*Travelers Bond & Financial Products*
*Construction Services*
*One Tower Square*
*Hartford, CT 06183*

(732) 321-5600
(866) 829-0409 (fax)

Rita Sagistano, Attorney-in-Fact
RFF & ASSOCIATES, INC.
1001 Franklin Avenue, Suite 208
Garden City, NY 11530

**November 4, 2009**

**MIAMI-DADE WATER AND SEWER DEPARTMENT**
**3071 SW 38th Avenue**
**Miami, FL 33146**

Re: PRINCIPAL: **POOLE & KENT COMPANY OF FLORIDA**
PROJECT: **South Miami Heights Water Treatment Plant Reservoir and High Service Pump Station, Contract No. W-857(A)**

Gentlemen:

The undersigned, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, hereby Consents to the extension of the above bid bond through December 26th, 2009

**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**

Rita Sagistano

**Rita Sagistano, Attorney-in-Fact**

[1] Travelers is an A+ (Superior) A.M. Best rated insurance company (Financial Size Category XV ($2 Billion or greater)).

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

# POWER OF ATTORNEY

**Farmington Casualty Company**
**Fidelity and Guaranty Insurance Company**
**Fidelity and Guaranty Insurance Underwriters, Inc.**
**St. Paul Fire and Marine Insurance Company**
**St. Paul Guardian Insurance Company**
**St. Paul Mercury Insurance Company**
**Travelers Casualty and Surety Company**
**Travelers Casualty and Surety Company of America**
**United States Fidelity and Guaranty Company**

**Attorney-In Fact No.** 220626 **Certificate No.** 003278783

**KNOW ALL MEN BY THESE PRESENTS:** That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas Bean, Rita Sagistano, Gerard S. Macholz, Susan Lupski, Robert T. Pearson, Camille Maitland, and George O. Brewster

of the City of Garden City, State of New York, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 17th day of November, 2008.

**Farmington Casualty Company**
**Fidelity and Guaranty Insurance Company**
**Fidelity and Guaranty Insurance Underwriters, Inc.**
**St. Paul Fire and Marine Insurance Company**
**St. Paul Guardian Insurance Company**
**St. Paul Mercury Insurance Company**
**Travelers Casualty and Surety Company**
**Travelers Casualty and Surety Company of America**
**United States Fidelity and Guaranty Company**

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 17th day of November, 2008, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

**In Witness Whereof,** I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-4-09 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

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

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

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

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

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

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seals of said Companies this 4th day of November, 20 09.

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**
**HARTFORD, CT. 06183**

**ATTORNEY-IN-FACT JUSTIFICATION**
**PRINCIPAL'S ACKNOWLEDGMENT — IF A CORPORATION**

State of ~~New York~~ Florida, County of ~~XXXXX~~ Miami-Dade } ss.

On this 6th day of November, 20 09, before me personally appeared Steven C. Jordan, to me known, who, being by me duly sworn, deposes and says: That he/she resides in the City of Miami; that he/she is the President & CEO of Poole & Kent Company of Florida the corporation described in and which executed the within instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

Steven C. Jordan

**PRINCIPAL'S ACKNOWLEDGMENT — IF INDIVIDUAL OR FIRM**

State of New York, County of } ss.

On this day of, 20, before me personally appeared to me known to be (the individual) (one of the firm of ) described in and who executed the within instrument, and he/she thereupon duly acknowledged to me that he/she executed the same (as the act and deed of said firm).

**SURETY COMPANY'S ACKNOWLEDGMENT**

State of New York, County of Nassau } ss.

On this 4th day of November, 20 09, before me personally appeared Rita Sagistano, to me known, who, being by me duly sworn, did depose and say: That he/she resides in the ~~City~~ County of Nassau, State of New York; that he/she is Attorney-in-Fact of **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**, the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said Company; that the seal affixed to said instrument is such corporate seal; and that he/she signed said instrument as Attorney-in-Fact by authority of the Board of Directors of said Company; and affiant did further depose and say that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939, constituting chapter 28 of the Consolidating Laws of the State of New York as the Insurance Law as amended, issued to **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA** his/her certificate that said Company is qualified to become and be accepted as surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that such certificate has not been revoked.

Mary Alice J. Corbett
Notary Public

MARY ALICE J. CORBETT
Notary Public, State of New York
No. 01CO6020162
Qualified in Nassau County
Commission Expires 02/22/2011

**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**
Hartford, Connecticut 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2008
AS FILED WITH THE INSURANCE DEPT. OF THE STATE OF NEW YORK
CAPITAL STOCK $ 6,000,000

| ASSETS | | LIABILITIES | |
|---|---|---|---|
| Cash & Invested Cash | $ 146,779,723 | Unearned Premiums | $ 846,309,219 |
| Bonds | 3,452,929,381 | Losses | 822,955,804 |
| Stock | 7,586,626 | Loss Adjustment Expenses | 278,222,162 |
| Investment Income Due and Accrued | 46,660,631 | Commissions | 52,167,066 |
| Premium Balances | 303,662,195 | Taxes, Licenses and Fees | 43,371,400 |
| Reinsurance Recoverable | 12,426,353 | Other Expenses | 29,247,064 |
| Net Deferred Tax Asset | 40,073,233 | Current Federal and Foreign Income Taxes | 104,183,960 |
| Other Assets | 86,225,430 | Funds Held Under Reinsurance Treaties | 105,982,816 |
| | | Other Accrued Expenses and Liabilities | 80,894,170 |
| | | Total Liabilities | $ 2,361,313,681 |
| | | Capital Stock | $ 6,000,000 |
| | | Paid in Surplus | 303,297,402 |
| | | Other Surplus | 1,425,632,488 |
| | | Total Surplus to Policyholders | $ 1,734,929,890 |
| Total Assets | $ 4,096,243,572 | Total Liabilities & Surplus | $ 4,096,243,572 |

Securities carried at $6,059,054 in the above statement are deposited with public authorities, as required by law

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

GAP ANALYSIS — Bid Date: June 3, 2009

BIDDERS — Poole & Kent Company of Florida, 1781 NW North River Dr., Miami, FL 33125 — WASD Engineering

| Item No. | Description | Estimated Quant. | Unit | Total | Total | Difference |
|---|---|---|---|---|---|---|
| 1. | Performing preparatory work & operations for mobilizing for beginning the work of the Project, but excluding materials & permit costs, both of which are paid under other payment items | Aggr. Sum | | $600,000.00 | $400,000.00 | $200,000.00 |
| 2. | Site preparation, clearing & grubbing; excavation for construction of the new reservoir & high service pump station; removal & legal disposal of asphalt, debris from clearing & grubbing, unsuitable backfill; stockpiling on site suitable fill materials | Aggr. Sum | | 650,000.00 | 125,000.00 | $525,000.00 |
| 3. | Constructing augercast concrete piles (678 piles, 18-inch diameter, 35 feet in length) 18 piles, 18-inch diameter 30 feet in length as a foundation for the proposed Reservoir | 24,270 Lin. Ft. | 34.00 | 825,180.00 | 1,330,000.00 | -$504,820.00 |
| 4. | All costs for construction of the proposed Reservoir to include all coatings, sluice gates & all other Reservoir work not included as a part of another Bid Item, complete | Aggr. Sum | | 3,600,000.00 | 7,060,000.00 | -$3,460,000.00 |
| 5. | Constructing augercast concrete piles, 159 Piles Total, details listed below, as a foundation for the proposed High Service Pump Station<br>78 Piles, 14-inch diameter 20 feet in length<br>16 Piles, 14-inch diameter 24 feet in length<br>65 Piles, 14-inch diameter 10 feet in length | 2,594 Lin. Ft. | 58.00 | 150,452.00 | 130,000.00 | $20,452.00 |
| 6. | All costs for construction of the proposed High Service Pump Station structure & all other High Service Pump station items not included as part of another Bid Item, complete | Aggr. Sum | | 700,000.00 | 1,302,000.00 | -$602,000.00 |
| 7. | Furnishing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 500,000.00 | 2,000,000.00 | 885,000.00 | $1,115,000.00 |
| 8. | Installing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 75,000.00 | 300,000.00 | 418,000.00 | -$118,000.00 |
| 9. | Furnishing & installing all mechanical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 1,150,000.00 | 630,000.00 | $520,000.00 |
| 10. | Furnishing & installing all electrical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 988,000.00 | 1,304,000.00 | -$316,000.00 |

16

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

GAP ANALYSIS — Bid Date: June 3, 2009

| BIDDERS | | | | Poole & Kent Company of Florida<br>1781 NW North River Dr.<br>Miami, FL 33125 | WASD Engineering | |
|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Total | Difference |
| 11. | Construction of yard piping including furnishing & installing ductile iron pipe, fittings, pipe specials, valves of 48", 42", 36", 30" & 24" from the exterior of the High Service Pump Station to the connection points excluding the 4 meter & pressure sustaining installations included as part of other Bid Items | Aggr. Sum | | $1,660,000.00 | $2,218,000.00 | -$558,000.00 |
| 12. | Constructing the main Venturi Meter system which includes furnishing & installing the meter tube, pipe & fittings, meter vault with rail & access, pipe connections & electrical work as detailed in Sheets S-15 & M-6 | Aggr. Sum | | 125,000.00 | 400,000.00 | -$275,000.00 |
| 13. | Constructing the pressure sustaining meter system as detailed in Sheets S-16, S-18 & M-7 which includes furnishing & installing a 42-inch motor controlled butterfly valve, 30-inch pressure sustaining valve, pipe & fittings, two meter vaults with rail & access ladders & installation of the meter tube furnished under the instrumentation dedicated allowance | Aggr. Sum | | 400,000.00 | 751,000.00 | -$351,000.00 |
| 14. | Constructing the 24-inch meter station for reservoir recharge as detailed in Sheet M-7 which includes furnishing & installing 24-inch butterfly valves, 24-inch pressure reducing valve & installing the meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 125,000.00 | 200,000.00 | -$75,000.00 |
| 15. | Constructing the 10-inch meter station for plant process water as detailed in Sheet M-8 which includes pipe valves & fittings, 10" backflow preventer, & installation of the 10" turbine meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 70,000.00 | 150,000.00 | -$80,000.00 |
| 16. | Furnishing & installing fill & topsoil on berms & top slab of reservoir | Aggr. Sum | | 75,000.00 | 15,000.00 | $60,000.00 |
| 17. | Sodding as shown in the Plans | 74,000 Sq. Ft. | 0.50 | 37,000.00 | 0.00 | $37,000.00 |
| 18. | Furnishing & installing construction trailer complete with computer work stations, office furniture, utility hook ups, all permitting & associated work, complete | Aggr. Sum | | 100,000.00 | 0.00 | $100,000.00 |
| 19. | Providing temporary power for high service pumps, motors, variable frequency drives with associated systems, testing & start-up, including furnishing & installing temporary generator, all required electrical cables, conduits, instrumentation & power equipment, fuel & maintenance, testing & training, all labor costs to provided power as & when required, together with removal of temporary generator & associated temporary equipment upon final completion of contract, including all appurtenant & associated costs except for costs included in another bid item | Aggr. Sum | | 150,000.00 | 0.00 | $150,000.00 |
| | | | | 0.00 | 643,000.00 | -$643,000.00 |

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

GAP ANALYSIS — Bid Date: June 3, 2009

BIDDERS — Poole & Kent Company of Florida, 1781 NW North River Dr., Miami, FL 33125

| Item No. | Description | Estimated Quant. | Unit | Poole & Kent Total | WASD Engineering Total | Difference |
|---|---|---|---|---|---|---|
| 20 | **SUBTOTAL (Items 1 through 19)** | | | $13,705,632.00 | $17,961,000.00 | -$4,255,368.00 |
| 21. | Selling, furnishing & delivering materials, hardware instrumentation, providing programming, coordination & supervisory, labor under Bristol, Inc. proposal (See Appendix 'U' to the Contractor for work at South Miami Heights Water Treatment Plant Reservoir & High Service Pump Station & associated systems as reviewed & approved by the County | Dedicated Allowance | | $400,000.00 | 409,000.00 | |
| | | | | | $18,370,000.00 Total Engineer's Estimate | |
| 22. | Excavation, demolition & removal of abandoned underground sanitary & other utilities, structures, soils or similar items not shown on the Plans & required for construction of the work, as ordered by the Engineer | Dedicated Allowance | | $200,000.00 | 200,000.00 | |
| 23. | Hauling away & legal disposal of abandoned underground utilities, structures, soils or similar items not shown on the Plans, as ordered by the Engineer to include all applicable tipping fees | Dedicated Allowance | | $200,000.00 | 200,000.00 | |
| 24. | Cost of required construction permits & fees, if authorized by the Engineer, the sum of 3% of the Subtotal, Item No. 20, (.03) X (Subtotal, Item No. 20) | Dedicated Allowance | | 411,168.96 | 538,830.00 | |
| 25. | Unforseen conditions, for minor construction changes, & for quantity adjustments, if ordered by the Engineer, the sum of 10% of the Subtotal, Item No. 20, (.10) X (Subtotal) Item No. 20) | Contingency Account | | 1,370,563.20 | 1,796,100.00 | |
| 26. | TOTAL BID (Items 20, 21, 22, 23, 24 & 25 ) | | | $16,287,364.16 | $21,104,930.00 | |
| 27. | Evaluated Pumping Costs for four Pumping Units each consisting of an 11.3 mgd pump with 500 HP variable speed motor & VFD (Cost calculated as specified in Section 01025. Cost in Dollars = $5,552,009.00/E in which E is the wire to water efficiency expressed as a decimal to the accuracy of three numerals to the right of the decimal point at pump design conditions & full speed) | | | $6,493,577.76 | | |
| 28. | **TOTAL EVALUATED BID (Items 26 and 27)** | | | $22,780,941.94 | | |

# MIAMI DADE COUNTY
## Department of Small Business Development
### Firm History Report

DEPARTMENT OF BUSINESS DEVELOPMENT

**From:** 10/16/2004 **To:** 10/16/2009

**FIRM NAME: POOLE & KENT COMPANY OF FLORIDA**
**1781 NW North River Dr**
**Miami, FL 33126-0000**

***PRIMES***

| PROJECT # | CONTRACT | DEPT. | MEASURES | AWARD DATE | AWARD AMOUNT |
|---|---|---|---|---|---|
| S-816 (A) | 1 | WS | GOAL CSBE 12% | 01/22/2008 | $8,830,950.00 |
| SOUTH DISTRICT WASTER WATER TREATMENT PLANT, OXYGENATION TRAIN NO. 7 (SIC 15) | | | | | |
| | | | | | $8,830,950.00 |
| S-805(A) | 1 | WS | GOAL CSBE 11% | 06/03/2008 | $134,253,006.15 |
| SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, FILTER SYSTEM (SIC 16) | | | | | |
| | | | | | $134,253,006.15 |
| S-812 (A) | 1 | WS | GOAL CSBE 10% | 11/20/2008 | $18,096,498.00 |
| SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD CHLORINE CONTACT TANKS NO. 5 TO 9 (SIC 16) | | | | | |
| | | | | | $18,096,498.00 |

| | |
|---|---|
| **Total Award Amount** | **$161,180,454.15** |
| **Total Change Orders Approved by BCC** | **$0.00** |
| | **$161,180,454.15** |

19

Exit

# Capital Improvements Information System

## Contractor Evaluations Report

| Dept | Contract | Type | Contractor / Architect Name | Date | Rater | Period | Rate |
|---|---|---|---|---|---|---|---|
| WS | S-812 (A) | CON | Poole & Kent Company of Florida | 9/28/2009 | Mario Garcia | Interim | 3.5 |
| WS | S-805 (A) | CON | Poole & Kent Company of Florida | 9/29/2009 | Mario Garcia | Interim | 3.3 |
| WS | S-816 (A) | CON | Poole & Kent Company of Florida | 9/10/2009 | Mario Garcia | Completion of construction | 4.0 |

Evaluation Count: 3 Contractors: 1 Average Evaluation: 3.6

Exit

20

# Dept. of Small Business Development
*Project Worksheet*

| | | | |
|---|---|---|---|
| **Project/Contract Title:** | SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT (SMHWTP) RESERVOIR AND HIGH SERVICE PUMP STATION (SIC 16) | **RC Date:** | 12/23/2008 |
| **Project/Contract No:** | W-857(A) | **Funding Source:** | **Item No:** 3-06 |
| **Department:** | WATER & SEWER DEPARTMENT | WASD BONDS/CONNECTION CHARGES | |
| **Estimated Cost of Project/Bid:** | $20,207,000.00 | | **Resubmittal Date(s):** |

**Description of Project/Bid:** TO ESTABLISH A CONTRACT THAT CONSISTS OF FURNISHING ALL MATERIALS, LABOR, AND EQUIPMENT NECESSARY TO CONSTRUCT A RESERVOIR AND A HIGH SERVICE PUMP STATION AS PART OF THE 20 MGD WATER TREATMENT PLANT THAT WILL BE LOCATED AT 11800 SW 208TH STREET, SOUTH MIAMI HEIGHTS, IN MIAMI-DADE COUNTY, FLORIDA.

**Contract Measures Recommendation**

| Measure | Program | Goal Percent |
|---|---|---|
| Goal | CSBE | 13.20% |

**Reasons for Recommendation**

An analysis of the factors contained in Section VI C of Administrative Order 3-22 indicate that a 13% goal is appropriate.

CWP Not Applicable: Not in DTA

**Analysis for Recommendation of a Goal**

| Subtrade | Cat. | Estimated Value | % of Items to Base Bid | Availability |
|---|---|---|---|---|
| All Other Heavy Construction | CSBE | $559,733.90 | 2.77% | 21 |
| Commercial and Institutional Building Construction | CSBE | $678,955.20 | 3.36% | 92 |
| Electrical Contractors | CSBE | $1,299,310.10 | 6.43% | 35 |
| Plumbing, Heating, and Air-Conditioning Contractors | CSBE | $129,324.80 | 0.64% | 27 |
| | Total | $2,667,324.00 | 13.20% | |

**Living Wages:** YES [ ] NO [X] **Highway:** YES [ ] NO [X] **Heavy Construction:** YES [X] NO [ ]

**Responsible Wages:** YES [X] NO [ ] **Building:** YES [ ] NO [X]

*Ordinance 90-143 is applicable to all construction projects over $100,000 that do not utilize Federal Funds*

**REVIEW COMMITTE RECOMMENDATION**

**Tier 1 Set Aside** _____

**Set Aside** _____ **Level 1** _____ **Level 2** _____ **Level 3** _____

**Trade Set Aside (MCC)** _____ **Goal** _____ **Bid Preference** _____

**No Measure** _____ **Deferred** _____ **Selection Factor** _____

Chairperson, Review Committee — Date 12/23/08

SBD Director — Date 12/23/08

DBDR0090 v 2005101

21

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS

Bid Date: June 3, 2009

| BIDDERS | | | Poole & Kent Company of Florida<br>1781 NW North River Dr.<br>Miami, FL 33125 | | Cardinal Contractors, Inc.<br>2201 Cantu Court, Suite 202<br>Sarasota, FL 34232 | | MCM<br>6201 SW 70 St., 2nd Floor<br>Miami, FL 33143 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 1. | Performing preparatory work & operations for mobilizing for beginning the work of the Project, but excluding materials & permit costs, both of which are paid under other payment items | Aggr. Sum | | $600,000.00 | | $734,400.00 | | $467,110.00 |
| 2. | Site preparation, clearing & grubbing; excavation for construction of the new reservoir & high service pump station; removal & legal disposal of asphalt, debris from clearing & grubbing, unsuitable backfill; stockpiling on site suitable fill materials | Aggr. Sum | | 650,000.00 | | 853,290.00 | | 264,789.00 |
| 3. | Constructing augercast concrete piles (678 piles, 18-inch diameter, 35 feet in length) 18 piles, 18-inch diameter 30 feet in length as a foundation for the proposed Reservoir | 24,270 Lin. Ft. | 34.00 * | 825,180.00 | 47.07 * | 1,142,388.90 | 50.00 | 1,213,500.00 |
| 4. | All costs for construction of the proposed Reservoir to include all coatings, sluice gates & all other Reservoir work not included as a part of another Bid Item, complete | Aggr. Sum | | 3,600,000.00 | | 3,899,146.00 | | 4,863,369.00 |
| 5. | Constructing augercast concrete piles, 159 Piles Total, details listed below, as a foundation for the proposed High Service Pump Station<br>78 Piles, 14-inch diameter 20 feet in length<br>16 Piles, 14-inch diameter 24 feet in length<br>65 Piles, 14-inch diameter 10 feet in length | 2,594 Lin. Ft. | 58.00 | 150,452.00 | 80.05 * | 207,649.70 | 49.00 | 127,106.00 |
| 6. | All costs for construction of the proposed High Service Pump Station structure & all other High Service Pump station items not included as part of another Bid Item, complete | Aggr. Sum | | 700,000.00 | | 1,276,088.00 | | 312,844.00 |
| 7. | Furnishing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 500,000.00 | 2,000,000.00 | 527,969.75 | 2,111,879.00 | 324,232.00 | 1,296,928.00 |
| 8. | Installing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 75,000.00 | 300,000.00 | 25,449.25 | 101,797.00 | 52,958.00 | 211,832.00 |
| 9. | Furnishing & installing all mechanical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 1,150,000.00 | | 1,774,385.00 | | 2,033,594.00 |
| 10. | Furnishing & installing all electrical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 988,000.00 | | 1,073,500.00 | | 1,621,159.00 |

*Revised due to error

22

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS — Bid Date: June 3, 2009

| BIDDERS | | | Poole & Kent Company of Florida<br>1761 NW North River Dr.<br>Miami, FL 33125 | | Cardinal Contractors, Inc.<br>2201 Cantu Court, Suite 202<br>Sarasota, FL 34232 | | MCM<br>6201 SW 70 St., 2nd Floor<br>Miami, FL 33143 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 11. | Construction of yard piping including furnishing & installing ductile iron pipe, fittings, pipe specials, valves of 48", 42", 36", 30" & 24" from the exterior of the High Service Pump Station to the connection points excluding the 4 meter & pressure sustaining installations included as part of other Bid Items | Aggr. Sum | | $1,660,000.00 | | $1,257,841.00 | | $1,567,120.00 |
| 12. | Constructing the main Venturi Meter system which includes furnishing & installing the meter tube, pipe & fittings, meter vault with rail & access, pipe connections & electrical work as detailed in Sheets S-15 & M-6 | Aggr. Sum | | 125,000.00 | | 18,778.00 | | 96,189.00 |
| 13. | Constructing the pressure sustaining meter system as detailed in Sheets S-16, S-18 & M-7 which includes furnishing & installing a 42-inch motor controlled butterfly valve, 30-inch pressure sustaining valve, pipe & fittings, two meter vaults with rail & access ladders & installation of the meter tube furnished under the instrumentation dedicated allowance | Aggr. Sum | | 400,000.00 | | 110,634.00 | | 700,341.00 |
| 14. | Constructing the 24-inch meter station for reservoir recharge as detailed in Sheet M-7 which includes furnishing & installing 24-inch butterfly valves, 24-inch pressure reducing valve & installing the meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 125,000.00 | | 71,424.00 | | 205,347.00 |
| 15. | Constructing the 10-inch meter station for plant process water as detailed in Sheet M-8 which includes pipe valves & fittings, 10" backflow preventer, & installation of the 10" turbine meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 70,000.00 | | 10,262.00 | | 83,760.00 |
| 16. | Furnishing & installing fill & topsoil on berms & top slab of reservoir | Aggr. Sum | | 75,000.00 | | 110,481.00 | | 24,317.00 |
| 17. | Sodding as shown in the Plans | 74,000 Sq. Ft. | 0.50 | 37,000.00 | 0.42 * | 31,080.00 | 0.25 | 18,500.00 |
| 18. | Furnishing & installing construction trailer complete with computer work stations, office furniture, utility hook ups, all permitting & associated work, complete | Aggr. Sum | | 100,000.00 | | 90,190.00 | | 132,503.00 |
| 19. | Providing temporary power for high service pumps, motors, variable frequency drives with associated systems, testing & start-up, including furnishing & installing temporary generator, all required electrical cables, conduits, instrumentation & power equipment, fuel & maintenance, testing & training, all labor costs to provided power as & when required, together with removal of temporary generator & associated temporary equipment upon final completion of contract, including all appurtenant & associated costs except for costs included in another bid item | Aggr. Sum | | 150,000.00 | | 62,500.00 | | 46,473.00 |

*Revised due to error



23

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS — Bid Date: June 3, 2009

| BIDDERS | | | Poole & Kent Company of Florida<br>1781 NW North River Dr.<br>Miami, FL 33125 | | Cardinal Contractors, Inc.<br>2201 Cantu Court, Suite 202<br>Sarasota, FL 34232 | | MCM<br>6201 SW 70 St., 2nd Floor<br>Miami, FL 33143 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 20 | **SUBTOTAL (Items 1 through 19)** | | | $13,705,632.00 | * | $14,737,713.60 | * | $15,286,781.00 |
| 21. | Selling, furnishing & delivering materials, hardware instrumentation, providing programming, coordination & supervisory, labor under Bristol, Inc. proposal (See Appendix 'U' to the Contractor for work at South Miami Heights Water Treatment Plant Reservoir & High Service Pump Station & associated systems as reviewed & approved by the County | Dedicated Allowance | | $400,000.00 | | $400,000.00 | | $400,000.00 |
| 22. | Excavation, demolition & removal of abandoned underground sanitary & other utilities, structures, soils or similar items not shown on the Plans & required for construction of the work, as ordered by the Engineer | Dedicated Allowance | | $200,000.00 | | $200,000.00 | | $200,000.00 |
| 23. | Hauling away & legal disposal of abandoned underground utilities, structures, soils or similar items not shown on the Plans, as ordered by the Engineer to include all applicable tipping fees | Dedicated Allowance | | $200,000.00 | | $200,000.00 | | $200,000.00 |
| 24. | Cost of required construction permits & fees, if authorized by the Engineer, the sum of 3% of the Subtotal, Item No. 20, (.03) X (Subtotal, Item No. 20) | Dedicated Allowance | * | 411,168.96 | * | 442,131.40 | | 458,603.43 |
| 25. | Unforseen conditions, for minor construction changes, & for quantity adjustments, if ordered by the Engineer, the sum of 10% of the Subtotal, Item No. 20, (.10) X (Subtotal) Item No. 20) | Contingency Account | * | 1,370,563.20 | * | 1,473,771.36 | | 1,528,678.10 |
| 26. | TOTAL BID (Items 20, 21, 22, 23, 24 & 25 ) | | * | $16,287,364.16 | * | $17,453,616.36 | | $18,074,062.53 |
| 27. | Evaluated Pumping Costs for four Pumping Units each consisting of an 11.3 mgd pump with 500 HP variable speed motor & VFD (Cost calculated as specified in Section 01025. Cost in Dollars = $5,552,009.00/E in which E is the wire to water efficiency expressed as a decimal to the accuracy of three numerals to the right of the decimal point at pump design conditions & full speed) | | * | $6,493,577.78 | * | $6,463,339.93 | | $6,463,339.93 |
| 28. | **TOTAL EVALUATED BID (Items 26 and 27)** | | * | $22,780,941.94 | * | $23,916,956.29 | | $24,537,402.46 |

*Revised due to error

24

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS

Bid Date: June 3, 2009

| BIDDERS | | | Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004 | | Metro Equipment Service, Inc. 9425 Sunset Dr. #225 Miami, FL 33173 | | Harry Pepper & Associates, Inc. 18902-A Northeast 5th Avenue North Miami Beach, FL 33179 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 1. | Performing preparatory work & operations for mobilizing for beginning the work of the Project, but excluding materials & permit costs, both of which are paid under other payment items | Aggr. Sum | | $779,353.90 | | $550,000.00 | | $629,173.00 |
| 2. | Site preparation, clearing & grubbing; excavation for construction of the new reservoir & high service pump station; removal & legal disposal of asphalt, debris from clearing & grubbing, unsuitable backfill; stockpiling on site suitable fill materials | Aggr. Sum | | 1,500,000.00 | | 300,000.00 | | 1,307,031.00 |
| 3. | Constructing augercast concrete piles (678 piles, 18-inch diameter, 35 feet in length) 18 piles, 18-inch diameter 30 feet in length as a foundation for the proposed Reservoir | 24,270 Lin. Ft. | 35.13 | 852,605.10 | 40.00 | 970,800.00 | 36.00 * | 873,720.00 |
| 4. | All costs for construction of the proposed Reservoir to include all coatings, sluice gates & all other Reservoir work not included as a part of another Bid Item, complete | Aggr. Sum | | 2,304,348.98 | | 4,925,000.00 | | 6,815,023.00 |
| 5. | Constructing augercast concrete piles, 159 Piles Total, details listed below, as a foundation for the proposed High Service Pump Station<br>78 Piles, 14-inch diameter 20 feet in length<br>16 Piles, 14-inch diameter 24 feet in length<br>65 Piles, 14-inch diameter 10 feet in length | 2,594 Lin. Ft. | 81.33 | 210,970.02 | 79.00 | 204,926.00 | 65.50 | 169,907.00 |
| 6. | All costs for construction of the proposed High Service Pump Station structure & all other High Service Pump station items not included as part of another Bid Item, complete | Aggr. Sum | | 3,500,000.00 | | 1,690,000.00 | | 1,000,000.00 |
| 7. | Furnishing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 500,000.00 | 2,000,000.00 | 513,290.00 | 2,053,160.00 | 395,953.50 | 1,583,814.00 |
| 8. | Installing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 12,500.00 | 50,000.00 | 75,000.00 | 300,000.00 | 34,105.00 | 136,420.00 |
| 9. | Furnishing & installing all mechanical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 350,000.00 | | 950,000.00 | | 944,084.00 |
| 10. | Furnishing & installing all electrical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 500,000.00 | | 1,175,000.00 | | 763,409.00 |

*Revised due to error

25

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS

Bid Date: June 3, 2009

| BIDDERS | | | Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004 | | Metro Equipment Service, Inc. 9425 Sunset Dr. #225 Miami, FL 33173 | | Harry Pepper & Associates, Inc. 18902-A Northeast 5th Avenue North Miami Beach, FL 33179 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 11. | Construction of yard piping including furnishing & installing ductile iron pipe, fittings, pipe specials, valves of 48", 42", 36", 30" & 24" from the exterior of the High Service Pump Station to the connection points excluding the 4 meter & pressure sustaining installations included as part of other Bid Items | Aggr. Sum | | $1,500,000.00 | | $1,965,000.00 | | $2,018,056.00 |
| 12. | Constructing the main Venturi Meter system which includes furnishing & installing the meter tube, pipe & fittings, meter vault with rail & access, pipe connections & electrical work as detailed in Sheets S-15 & M-6 | Aggr. Sum | | 250,000.00 | | 157,000.00 | | 38,469.00 |
| 13. | Constructing the pressure sustaining meter system as detailed in Sheets S-16, S-18 & M-7 which includes furnishing & installing a 42-inch motor controlled butterfly valve, 30-inch pressure sustaining valve, pipe & fittings, two meter vaults with rail & access ladders & installation of the meter tube furnished under the instrumentation dedicated allowance | Aggr. Sum | | 350,000.00 | | 540,000.00 | | 415,447.00 |
| 14. | Constructing the 24-inch meter station for reservoir recharge as detailed in Sheet M-7 which includes furnishing & installing 24-inch butterfly valves, 24-inch pressure reducing valve & installing the meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 300,000.00 | | 202,000.00 | | 130,156.00 |
| 15. | Constructing the 10-inch meter station for plant process water as detailed in Sheet M-8 which includes pipe valves & fittings, 10" backflow preventer, & installation of the 10" turbine meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 150,000.00 | | 231,000.00 | | 82,930.00 |
| 16. | Furnishing & installing fill & topsoil on berms & top slab of reservoir | Aggr. Sum | | 75,000.00 | | 85,000.00 | | 110,281.00 |
| 17. | Sodding as shown in the Plans | 74,000 Sq. Ft. | 0.20 | 14,800.00 | 0.26 | 19,240.00 | 0.1986 * | 14,696.40 |
| 18. | Furnishing & installing construction trailer complete with computer work stations, office furniture, utility hook ups, all permitting & associated work, complete | Aggr. Sum | | 500,000.00 | | 72,000.00 | | 31,157.00 |
| 19. | Providing temporary power for high service pumps, motors, variable frequency drives with associated systems, testing & start-up, including furnishing & installing temporary generator, all required electrical cables, conduits, instrumentation & power equipment, fuel & maintenance, testing & training, all labor costs to provided power as & when required, together with removal of temporary generator & associated temporary equipment upon final completion of contract, including all appurtenant & associated costs except for costs included in another bid item | Aggr. Sum | | 400,000.00 | | 208,000.00 | | 225,313.00 |

*Revised due to error



29

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS — Bid Date: June 3, 2009

| BIDDERS | | | Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004 | | Metro Equipment Service, Inc. 9425 Sunset Dr. #225 Miami, FL 33173 | | Harry Pepper & Associates, Inc. 18902-A Northeast 5th Avenue North Miami Beach, FL 33179 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 20 | **SUBTOTAL (Items 1 through 19)** | | | $15,587,078.00 | * | $16,598,126.00 | * | $17,289,086.40 |
| 21. | Selling, furnishing & delivering materials, hardware instrumentation, providing programming, coordination & supervisory, labor under Bristol, Inc. proposal (See Appendix 'U' to the Contractor for work at South Miami Heights Water Treatment Plant Reservoir & High Service Pump Station & associated systems as reviewed & approved by the County | Dedicated Allowance | | $400,000.00 | | $400,000.00 | | $400,000.00 |
| 22. | Excavation, demolition & removal of abandoned underground sanitary & other utilities, structures, soils or similar items not shown on the Plans & required for construction of the work, as ordered by the Engineer | Dedicated Allowance | | $200,000.00 | | $200,000.00 | | $200,000.00 |
| 23. | Hauling away & legal disposal of abandoned underground utilities, structures, soils or similar items not shown on the Plans, as ordered by the Engineer to include all applicable tipping fees | Dedicated Allowance | | $200,000.00 | | $200,000.00 | | $200,000.00 |
| 24. | Cost of required construction permits & fees, if authorized by the Engineer, the sum of 3% of the Subtotal, Item No. 20, (.03) X (Subtotal, Item No. 20) | Dedicated Allowance | | 467,612.34 | * | 497,943.78 | * | 518,672.59 |
| 25. | Unforseen conditions, for minor construction changes, & for quantity adjustments, if ordered by the Engineer, the sum of 10% of the Subtotal, Item No. 20, (.10) X (Subtotal) Item No. 20) | Contingency Account | | 1,558,707.80 | * | 1,659,812.60 | * | 1,728,908.64 |
| 26. | TOTAL BID (Items 20, 21, 22, 23, 24 & 25 ) | | | $18,413,398.14 | * | $19,555,882.38 | * | $20,336,867.63 |
| 27. | Evaluated Pumping Costs for four Pumping Units each consisting of an 11.3 mgd pump with 500 HP variable speed motor & VFD (Cost calculated as specified in Section 01025. Cost in Dollars = $5,552,009.00/E in which E is the wire to water efficiency expressed as a decimal to the accuracy of three numerals to the right of the decimal point at pump design conditions & full speed) | | * | $6,493,577.78 | * | $6,493,577.78 | * | $6,493,577.78 |
| 28. | **TOTAL EVALUATED BID (Items 26 and 27)** | | * | $24,906,975.92 | * | $26,049,460.16 | * | $26,830,245.41 |

*Revised due to error

27

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS

Bid Date: June 3, 2009

| BIDDERS | | | Horizon Contractors, Inc. 8175 W. 32 Ave. #1 Hialeah, FL 33018 | | John J Kirlin, LLC 3125 W. Commercial Blvd., Suite 200 Ft. Lauderdale, FL 33309 | | AFCO Contractors, Inc. 1804 N.W. Madrid Way Boca Raton, FL 33432 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 1. | Performing preparatory work & operations for mobilizing for beginning the work of the Project, but excluding materials & permit costs, both of which are paid under other payment items | Aggr. Sum | | $5,000,000.00 | | $1,000,000.00 | * | $579,123.63 |
| 2. | Site preparation, clearing & grubbing; excavation for construction of the new reservoir & high service pump station; removal & legal disposal of asphalt, debris from clearing & grubbing, unsuitable backfill; stockpiling on site suitable fill materials | Aggr. Sum | | 450,000.00 | | 75,000.00 | * | 201,234.60 |
| 3. | Constructing augercast concrete piles (678 piles, 18-inch diameter, 35 feet in length) 18 piles, 18-inch diameter 30 feet in length as a foundation for the proposed Reservoir | 24,270 Lin. Ft. | 67.00 | 1,626,090.00 | 880.00 * | 21,357,600.00 | 944,400.98 * | 22,920,611,784.60 |
| 4. | All costs for construction of the proposed Reservoir to include all coatings, sluice gates & all other Reservoir work not included as a part of another Bid Item, complete | Aggr. Sum | | 958,800.00 | | 4,008,178.00 | * | 4,244,301.98 |
| 5. | Constructing augercast concrete piles, 159 Piles Total, details listed below, as a foundation for the proposed High Service Pump Station<br>78 Piles, 14-inch diameter 20 feet in length<br>16 Piles, 14-inch diameter 24 feet in length<br>65 Piles, 14-inch diameter 10 feet in length | 2,594 Lin. Ft. | 65.00 | 168,610.00 | 176,000.00 * | 456,544,000.00 | 191,376.07 * | 496,429,625.58 |
| 6. | All costs for construction of the proposed High Service Pump Station structure & all other High Service Pump station items not included as part of another Bid Item, complete | Aggr. Sum | | 6,700,000.00 | | 137,500.00 | | 1,182,273.29 |
| 7. | Furnishing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 325,000.00 | 1,300,000.00 | 2,108,700.00 * | 8,434,800.00 | 2,167,458.53 * | 8,669,834.12 |
| 8. | Installing four (4) 11.3 MGD, centrifugal pump assemblies each consisting of a pump with 500 HP, 1180 RPM, 4160 volt motor driver & VFD controller as shown on the Plans, including wiring, connections, controls & accessories | 4 Each | 325,000.00 | 1,300,000.00 | 843,480.00 * | 3,373,920.00 | 56,203.23 * | 224,812.92 |
| 9. | Furnishing & installing all mechanical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 2,500,000.00 | | 594,192.50 | | 1,536,622.34 |
| 10. | Furnishing & installing all electrical equipment (except for the four pumps, VFDs & motors included in another Bid Item) for the proposed High Service Pump Station, complete | Aggr. Sum | | 1,600,000.00 | | 2,148,547.50 | * | 919,387.86 |

*Revised due to error



28

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS

Bid Date: June 3, 2009

| BIDDERS | | | Horizon Contractors, Inc. 8175 W. 32 Ave. #1 Hialeah, FL 33018 | | John J Kirlin, LLC 3125 W. Commercial Blvd., Suite 200 Ft. Lauderdale, FL 33309 | | AFCO Contractors, Inc. 1804 N.W. Madrid Way Boca Raton, FL 33432 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 11. | Construction of yard piping including furnishing & installing ductile iron pipe, fittings, pipe specials, valves of 48", 42", 36", 30" & 24" from the exterior of the High Service Pump Station to the connection points excluding the 4 meter & pressure sustaining installations included as part of other Bid items | Aggr. Sum | | $5,720,000.00 | | $1,195,282.00 | | $2,383,255.18 |
| 12. | Constructing the main Venturi Meter system which includes furnishing & installing the meter tube, pipe & fittings, meter vault with rail & access, pipe connections & electrical work as detailed in Sheets S-15 & M-8 | Aggr. Sum | | 50,000.00 | | 120,000.00 | | 135,743.41 |
| 13. | Constructing the pressure sustaining meter system as detailed in Sheets S-16, S-18 & M-7 which includes furnishing & installing a 42-inch motor controlled butterfly valve, 30-inch pressure sustaining valve, pipe & fittings, two meter vaults with rail & access ladders & installation of the meter tube furnished under the instrumentation dedicated allowance | Aggr. Sum | | 1,200,000.00 | | 150,000.00 | | 747,893.96 |
| 14. | Constructing the 24-inch meter station for reservoir recharge as detailed in Sheet M-7 which includes furnishing & installing 24-inch butterfly valves, 24-inch pressure reducing valve & installing the meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 210,000.00 | | 125,000.00 | | 191,168.12 |
| 15. | Constructing the 10-inch meter station for plant process water as detailed in Sheet M-8 which includes pipe valves & fittings, 10" backflow preventer, & installation of the 10" turbine meter tube & transmitter furnished under the instrumentation dedicated allowance | Aggr. Sum | | 150,000.00 | | 65,000.00 | | 126,233.91 |
| 16. | Furnishing & installing fill & topsoil on berms & top slab of reservoir | Aggr. Sum | | 205,000.00 | | 110,000.00 | | 70,096.51 |
| 17. | Sodding as shown in the Plans | 74,000 Sq. Ft. | 1.00 | 74,000.00 | 28,620.00 * | 2,117,880,000.00 | 27,880.60 * | 2,063,164,400.00 |
| 18. | Furnishing & installing construction trailer complete with computer work stations, office furniture, utility hook ups, all permitting & associated work, complete | Aggr. Sum | | 135,000.00 | | 22,000.00 | | 209,578.93 |
| 19. | Providing temporary power for high service pumps, motors, variable frequency drives with associated systems, testing & start-up, including furnishing & installing temporary generator, all required electrical cables, conduits, instrumentation & power equipment, fuel & maintenance, testing & training, all labor costs to provided power as & when required, together with removal of temporary generator & associated temporary equipment upon final completion of contract, including all appurtenant & associated costs except for costs included in another bid item | Aggr. Sum | | 325,000.00 | | 82,500.00 | | 78,375.00 |

*Revised due to error



29

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT
RESERVOIR AND HIGH SERVICE PUMP STATION

CONTRACT NO. W-857
ESTIMATE: $18,370,000

TABULATION OF BIDS

Bid Date: June 3, 2009

| BIDDERS | | | Horizon Contractors, Inc. 8175 W. 32 Ave. #1 Hialeah, FL 33018 | | John J Kirlin, LLC 3125 W. Commercial Blvd., Suite 200 Ft. Lauderdale, FL 33309 | | AFCO Contractors, Inc. 1804 N.W. Madrid Way Boca Raton, FL 33432 | |
|---|---|---|---|---|---|---|---|---|
| Item No. | Description | Estimated Quant. | Unit | Total | Unit | Total | Unit | Total |
| 20 | **SUBTOTAL (Items 1 through 19)** | | | $29,672,500.00 | * | $2,617,423,520.00 | * | $25,501,705,645.30 |
| 21. | Selling, furnishing & delivering materials, hardware instrumentation, providing programming, coordination & supervisory, labor under Bristol, Inc. proposal (See Appendix 'U' to the Contractor for work at South Miami Heights Water Treatment Plant Reservoir & High Service Pump Station & associated systems as reviewed & approved by the County | Dedicated Allowance | | $400,000.00 | | $400,000.00 | | $400,000.00 |
| 22. | Excavation, demolition & removal of abandoned underground sanitary & other utilities, structures, soils or similar items not shown on the Plans & required for construction of the work, as ordered by the Engineer | Dedicated Allowance | | $200,000.00 | | $200,000.00 | | $200,000.00 |
| 23. | Hauling away & legal disposal of abandoned underground utilities, structures, soils or similar items not shown on the Plans, as ordered by the Engineer to include all applicable tipping fees | Dedicated Allowance | | $200,000.00 | | $200,000.00 | | $200,000.00 |
| 24. | Cost of required construction permits & fees, if authorized by the Engineer, the sum of 3% of the Subtotal, Item No. 20, (.03) X (Subtotal, Item No. 20) | Dedicated Allowance | | 890,175.00 | * | 78,522,705.60 | * | 765,051,169.36 |
| 25. | Unforseen conditions, for minor construction changes, & for quantity adjustments, if ordered by the Engineer, the sum of 10% of the Subtotal, Item No. 20, (.10) X (Subtotal) Item No. 20) | Contingency Account | | 2,967,250.00 | * | 261,742,352.00 | * | 2,550,170,564.53 |
| 26. | TOTAL BID (Items 20, 21, 22, 23, 24 & 25 ) | | | $34,329,925.00 | * | $2,958,488,577.60 | * | $28,817,727,379.10 |
| 27. | Evaluated Pumping Costs for four Pumping Units each consisting of an 11.3 mgd pump with 500 HP variable speed motor & VFD (Cost calculated as specified in Section 01025. Cost in Dollars = $5,552,009.00/E in which E is the wire to water efficiency expressed as a decimal to the accuracy of three numerals to the right of the decimal point at pump design conditions & full speed) | | * | $6,455,824.42 | * | $6,493,577.78 | * | $6,493,577.78 |
| 28. | **TOTAL EVALUATED BID (Items 26 and 27)** | | * | $40,785,749.42 | * | $2,964,982,155.38 | * | $28,824,220,956.80 |

*Revised due to error

30

# CONTRACT

THIS CONTRACT, made and entered into on the _____ day

of _____, 20_____, by and between Miami-Dade County, Florida,

acting by and through the Office of the Mayor, party of the first part (hereinafter sometimes

called the "County"), and **Poole & Kent Company of Florida**, party

of the second part (hereinafter sometimes called "Contractor");

W I T N E S S E T H

That the parties hereto, for and in consideration of the covenants and agreements hereinafter set forth, mutually agree as follows, to wit:

1. That the Contractor shall furnish all labor, materials and equipment and perform all work in the manner and form provided by the Contract Documents covering the Project of the County known and identified as

**"South Miami Heights Water Treatment Plant Reservoir and High Service Pump Station, Contract No. W-857 (A)"**

for the aggregate amount reflected by the Proposal, said aggregate amount being of **Sixteen Million Two Hundred Eighty Seven Thousand Three Hundred Sixty Four Dollars and Sixteen Cents (U.S. Dollars) $16,287,364.16**.

2. That the Contractor shall begin the work to be performed under this Contract on a day to be specified in a written order issued by the Engineer, and shall fully complete all work hereunder within the time or times stated in the Proposal.

3. That the County shall pay to the Contractor for the faithful performance of this Contract, in lawful money of the United States, and subject to additions and deductions as provided in the Contract Documents, the total amount of his proposal as set forth above at the times and in a manner stated in the General Covenants and Conditions of the Contract Documents.

4. It is further mutually agreed that if at any time after the execution of this Contract, Surety Performance and Payment Bond, the County shall deem the surety upon such bonds to be unsatisfactory, or if for any reason such bond shall become inadequate to cover the performance of the work, the Contractor shall at his own expense, within five (5) days after the receipt of notice from the County to do so, furnish an additional bond or bonds in such form and amount and with such surety or sureties as shall be satisfactory to the County. In such event, no further payment to the Contractor shall be deemed to be due under this Contract until such new or additional security shall have been furnished in a manner and form satisfactory to the County.

5. The "Contract Documents" are hereby defined as the Questionnaire, the Advertisement for Bids, the Instructions to Bidders, the Proposal, the Certified Resolution (Proposal/Prescribed Bid Bond), the Prescribed Bid Bond, the Contract, the Surety Performance and Payment Bond, the Certified Resolution (Contract/ Surety Performance and Payment Bond), the General Covenants and Conditions, the Supplemental General Conditions (if Ordinance 90-143 is applicable) including Wage and Benefit Schedules, the Specifications, the Plans, any Addenda which may be issued, the Subcontractor /Supplier Listing Form (Ordinance 97-104 as amended by Ordinance 00-30), the Reporting Subcontracting Policies and Procedures (Ordinance 98 -15 9), the Community Small Business Enterprise Program (CSBE) Participation Provisions and Forms (if applicable), and the provisions for the following: Affirmative Action Plan (Ordinance 98-30) and Disclosure Form; Bidder's (Debarment) (Ordinance 93-129); Code of Business Ethics (Ordinance 01-96); Criminal Record (Felony) (as amended by Ordinance 00-30); Disability Nondiscrimination. (Resolution R - 3 8 5 -95 as amended by Resolution R-182-00); Domestic Violence Leave (Ordinance 99 - 5 as amended by Resolution R-185-00); Due Fees or Taxes Paid (Ordinance 95-178 as amended by Ordinance 00-30); Metro-Dade Employment Drug-Free Workplace (Ordinance 92-15 as amended by Ordinance 00-30); Metro-Dade Employment Family Leave Plan (Ordinance 91-142 as amended by Resolution R-183-00); Fair Wage (Ordinance 90-143 as amended by Ordinance 95-183); Mandatory Clearinghouse for Posting Notice of Job Opportunities (Resolution R-937-98 as amended by R-1145-99); Obligation (Ordinance 99-162); Office of Miami-Dade County Inspector General (IG) (Ordinance 97-215 as amended by Ordinance 99-151); Sworn Statement - Public Entity Crimes [Florida Statute Sect. 287.133 (3) (a)]; and Metro-Dade County Disclosure (Ordinance 90-133).

# CONTRACT

The terms and conditions of said Contract Documents are incorporated herein by reference and made a part hereof as though fully set forth herein. The Contract Documents are complementary, so that a recital in one is tantamount to a recital in all, and the Contractor specifically acknowledges that he has read and understands all of said Contract Documents.

6. The various indemnities of the Contractor contained in the Contract Documents indemnifying the County from liability for damages to persons or property caused by acts, omissions, or defaults in the performance of the Contract Documents shall have a monetary limitation of the larger of the following: $1,000,000.00, or the entire amount of the Contract.

7. The County retains the right to audit any and all information regarding this Contract as described in the General Covenants and Conditions, Section 41"Audit Rights and Review of Records".

8. Notwithstanding and prevailing over any other provision of the Contract Documents to the contrary, the County Mayor or County Mayor's designee, pursuant to Section 2-8.2.7 of the Code of Miami-Dade County, may negotiate and settle contractor claims and issue change orders for additional work where the change order or claim does not increase the contract amount, including contingencies. The contingency allowance established in accordance with Section 2-8.1 (h) of the Code shall not exceed; five percent of the contract price for new construction on public property; ten percent of the contract price for remodeling, renovation or expansion of existing facilities on public property or for infrastructure projects in the public right-of-way; shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change Orders shall be submitted to replenish the contingency account in a timely manner. Provided however, that the foregoing limitation shall not apply to any change order or amendment related to emergency actions impacting environmental remediation, public safety, health requirements or recovery from natural disaster; and all change orders and amendments shall require ratification by the Board.

IN WITNESS WHEREOF, the parties hereto have executed this Contract in four (4) counterparts, each of which shall be deemed an original Contract, all as of the day and year first hereinbefore written.

(OFFICIAL SEAL)

ATTEST: Harvey Ruvin
Clerk of the Board

By: _____
Deputy Clerk

MIAMI DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Mayor

(PARTY OF THE FIRST PART)

Approved as to Form and Legal Sufficiency:

_____
Assistant County Attorney
Miami-Dade Water and Sewer Department

## CONTRACT

WHEN THE CONTRACTOR IS A CORPORATION:

(CORPORATION SEAL)

ATTEST

(Secretary) Assistant

David W. McCluskey

(Print or type name)

**Poole & Kent Company of Florida**
(Name of Corporation)

By: _____
(Signature of Officer)

Patrick H. Carr

(Print or type name)

Executive VP & COO

(Official Title)

**1781 N.W. North River Drive**

**Miami, Florida 33125**
(Address)

(PARTY OF THE SECOND PART)

* Attach to each counterpart a certified copy of a resolution of the Board of Directors of the corporation authorizing the officer who signs the Contract and Surety Performance and Payment Bond to do so in its behalf.

*** SEE ATTACHED ***

## CERTIFIED RESOLUTION

I, _____, the duly elected Secretary of
(Name)
**Poole & Kent Company of Florida**, a Corporation organized and existing under the laws of the State of **Delaware**, do hereby certify that the following Resolution was unanimously adopted and passed by a quorum of the Board of Directors of the said Corporation at a meeting held in accordance with law and the by-laws of the said Corporation:

"IT IS HEREBY RESOLVED that _____, the duly
(Name)
elected _____ of **Poole & Kent Company of Florida**
(Title of Officer)

be and is hereby authorized to execute and submit a Contract, Surety Performance and Payment Bond to Miami-Dade County, Florida, and the Miami-Dade Water and Sewer Department, respectively, for a certain Project entitled

**South Miami Heights Water Treatment Plant Reservoir and High Service Pump Station, Contract No. W-857 (A)**

and such other instruments in writing as may be necessary in behalf of the said Corporation, and that the Contract, Surety Performance and Payment Bonds and other such instruments signed by him shall be binding upon the said Corporation as its own acts and deeds."

I further certify that the above Resolution is in force and effect and has not been revised, revoked or rescinded.

Given under my hand and the Seal of the said Corporation this _____ day of _____, 20_____.
(Month) (Year)

By: _____
(Secretary)

_____
(Print or type name)

(SEAL)

**Poole & Kent Company of Florida**
(Corporate Title)

**CERTIFICATE OF SECRETARY**
**OF**
**POOLE & KENT COMPANY OF FLORIDA**

The undersigned, Frank Donelan, certifies that he is the duly elected, qualified and acting Secretary of Poole & Kent Company of Florida, a corporation duly organized and existing under the laws of Delaware with a business address of 1781 N. W. North River Drive, Miami, FL 33125 and that as Secretary, he is the keeper of the corporate records and seal of said Corporation.

The undersigned further certifies:

1. Attached hereto as Exhibit A is a true, correct and complete copy of resolutions adopted upon written consent of the sole director of this Corporation dated as August 19, 2009; and said resolutions do not contravene any provision of the certificate of incorporation or by-laws of said Corporation, and have not been rescinded or modified in any respect but still remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of August, 2009.

Frank Donelan
Secretary

**EXHIBIT A**

RESOLVED, that Steven C. Jordan the duly elected President and Chief Executive Officer, Patrick H. Carr the duly elected Executive Vice President and Chief Operating Officer and David W. McCluskey the duly elected Vice President and Assistant Secretary, be and hereby are, authorized, empowered and directed to execute and submit a Contract, Surety Performance and Payment Bond to Miami-Dade County, Florida and the Miami-Dade Water and Sewer Department, respectively, for a certain Project entitled, South Miami Heights Water Treatment Plant Reservoir and High Service Pump Station, Contract No. W-857(A) and such other instruments in writing as may be necessary on behalf of the said Corporation and that the Contract, Surety Performance and Payment Bonds and other such instruments signed by them shall be binding upon the said Corporation as its own acts and deeds.

## *COLLUSION AFFIDAVIT*

***(Code of Miami-Dade County Section 2-8.1.1 and 10-33.1) (Ordinance No. 08-113)***

BEFORE ME, A NOTARY PUBLIC, personally appeared Patrick H. Carr who being duly sworn states:
(insert name of affiant)

I am over 18 years of age, have personal knowledge of the facts stated in this affidavit and I am an owner, officer, director, principal shareholder and/or I am otherwise authorized to bind the bidder of this contract.

I state that the bidder of this contract:

[X] is not related to any of the other parties bidding in the competitive solicitation, and that the contractor's proposal is genuine and not sham or collusive or made in the interest or on behalf of any person not therein named, and that the contractor has not, directly or indirectly, induced or solicited any other proposer to put in a sham proposal, or any other person, firm, or corporation to refrain from proposing, and that the proposer has not in any manner sought by collusion to secure to the proposer an advantage over any other proposer.

OR

[ ] is related to the following parties who bid in the solicitation which are identified and listed below:

_____ _____

_____ _____

_____ _____

Note: Any person or entity that fails to submit this executed affidavit shall be ineligible for contract award. In the event a recommended contractor identifies related parties in the competitive solicitation its bid shall be presumed to be collusive and the recommended contractor shall be ineligible for award unless that presumption is rebutted by presentation of evidence as to the extent of ownership, control and management of such related parties in the preparation and submittal of such bids or proposals. Related parties shall mean bidders or proposers or the principals, corporate officers, and managers thereof which have a direct or indirect ownership interest in another bidder or proposer for the same agreement or in which a parent company or the principals thereof of one (1) bidder or proposer have a direct or indirect ownership interest in another bidder or proposer for the same agreement. Bids or proposals found to be collusive shall be rejected.

By: _____ August 19, 20 09
Signature of Affiant — Date

Patrick H. Carr
Executive V.P. & COO — 7 5 - 3 1 6 3 4 6 6
Printed Name of Affiant and Title — Federal Employer Identification Number

Poole & Kent Company of Florida
Printed Name of Firm

1781 NW North River Drive, Miami, FL 33125
Address of Firm

SUBSCRIBED AND SWORN TO (or affirmed) before me this 19th day of August, 20 09

He/She is personally known to me or has presented _____ as identification.

Type of identification

DD 808798

Signature of Notary

Serial Number

Christine Mendez

Print or Stamp Name of Notary

10/31/2012

Expiration Date

Notary Public – State of FL

Notary Seal

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

# FIRM'S RESPONSIBILITY AFFIDAVIT
## "Combined Affidavit"

STATE OF FLORIDA )
)SS:
COUNTY OF MIAMI-DADE )

The undersigned, being first duly sworn, states as follows:

### GENERAL

1. I am a duly authorized representative of the Firm submitting a bid, proposal or other document to Miami-Dade County with the intention of being awarded a contract (referred to in this affidavit as the "Respondent").

2. This Affidavit is made of my personal knowledge. I understand that Miami-Dade County will rely on the representations made in this affidavit in determining my eligibility and responsibility to enter into a contract with Miami-Dade County. By executing this affidavit, the Respondent agrees to provide to Miami-Dade County such documentation or other proof as Miami-Dade County may require verifying the accuracy and completeness of any of the representations.

3. The Respondent is duly authorized to submit this bid or proposal, and if awarded the contract, to enter into the contract and perform the services or supply the goods contemplated in the contract.

### OWNERSHIP DISCLOSURE

4. That in compliance with Section 2-8.1(d)(1) of the Miami Dade County Code, if the contract or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who holds directly or indirectly five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a trust, the full legal name and address shall be provided for each trustee and each beneficiary. (Post Office addresses are not acceptable). The full legal names and business address shall be provided for any other individual (other than subcontractors, material men, suppliers, laborers, or lenders) that have, or will have, any interest (legal, equitable beneficial or otherwise) in the contract or business transaction with Miami-Dade County. (Post Office addresses are not acceptable). This information shall be supplied on the attached Ownership Disclosure form and signed by the Respondent.

# FIRM'S RESPONSIBILITY AFFIDAVIT
## "Combined Affidavit"

### EMPLOYMENT DISCLOSURE

5. The following information and attachments are provided and are in compliance with all items in County Ordinance No. 90-133, amending Section 2.8-1; Subsection (d)(2):

   a. Does your firm have a collective bargaining agreement with its employees?
   [X] Yes [ ] No

   b. Does your firm provide paid health care benefits for its employees?
   [X] Yes [ ] No

   c. Provide a current breakdown (number of persons) of your firm's work force and ownership as to race, national origin and gender:

| | | | | | |
|---|---|---|---|---|---|
| White: | X | Males: | 115 | Females: | 16 |
| Asian: | | Males: | | Females: | |
| Black: | X | Males: | 25 | Females: | |
| American Indian: | | Males: | | Females: | |
| Hispanics: | X | Males: | 41 | Females: | 10 |
| Aleut (Eskimo): | | Males: | | Females: | |
| _____: | | Males: | | Females: | |

### EMPLOYMENT DRUG FREE WORKPLACE

6. The Respondent provides a drug-free workplace in full compliance with Section 2-8.1.2 of the Code of Miami-Dade County.

### EMPLOYMENT FAMILY LEAVE

7. That in compliance with Ordinance No. 91-142 of the Code of Miami-Dade County, Florida, the following information is provided and is in compliance with all items in the aforementioned Ordinance:

An employee who has worked for the above firm for at least one (1) year shall be entitled to ninety (90) days of family leave during any twenty-four (24) month period, for medical reasons, for the birth or adoption of a child, or for the care of a child, spouse or other close relative who has a serious health condition without risk of termination of employment or employer retaliation.



41

# FIRM'S RESPONSIBILITY AFFIDAVIT
## "Combined Affidavit"

### DOMESTIC LEAVE

8. That in compliance with Ordinance No. 9-5 of the Code of Miami-Dade County, Florida, the following information is provided and is in compliance with all items in the aforementioned Ordinance:

   An employee who has worked for the above firm for at least three hundred and eight (308) hours in the previous ninety (90) days shall be entitled to thirty (30) work days of unpaid domestic leave during any twelve (12) month period, for medical or dental reasons, for legal assistance, to attend court appearances, counseling or any reasons necessary to provide for the safety or well being of the employee subjected to domestic or repeat violence, without risk of termination of employment or employer retaliation.

### ARREARS WITH THE COUNTY

9. That in compliance with Ordinance No. 95-178 and Section 2-8.1(c) of the Code of Miami-Dade County, the Proposer has paid all delinquent and currently due fees or taxes, including but not limited to real estate and personal property taxes, registered in the name of Proposer and which are collected in the normal course by the Miami-Dade County Tax Collector, and that County issued parking tickets for vehicles registered in the name of the above proposer, and which are collected in the normal course by the Miami-Dade Clerk of the Circuit and County Courts, have been paid.

   That in compliance with Ordinance No. 99-162 and Section 2-8.1 of the Code of Miami-Dade County, the Proposer is not in arrears in any payment under contract, promissory note or other loan document with Miami-Dade County, or any of its agencies or instrumentalities, including the Public Health Trust, either directly or indirectly through a firm, corporation, partnership or joint venture in which the individual or entity has a controlling financial interest as that term in defined in Section 2-11.1(b)(8) of the Code of Miami-Dade County.

### CODE OF BUSINESS ETHICS

10. I, being duly sworn, hereby state and certify that this firm has adopted a Code of Business Ethics that is fully compliant with the requirements of Section 2-8.1(i) of the Code of Miami-Dade County as amended. I further acknowledge that failure to comply with the adopted Code of Business Ethics shall render any contract with Miami-Dade County void able, and subject this firm to debarment from County work pursuant to Section 10-38 (h)(2) of the Code of Miami-Dade County as amended. I further acknowledge that failure to submit this affidavit shall render this firm ineligible for contract award.

# FIRM'S RESPONSIBILITY AFFIDAVIT
## "Combined Affidavit"

### NO CRIMINAL RECORD

11. The Respondent has not been convicted of a felony during the past ten (10) years, nor does it, as of the date of the bid or proposal submission, have an officer, director or executive who has been convicted of a felony during the past ten (10) years as defined in Section 2-8.6 of the Code of Miami-Dade County.

### PUBLIC ENTITY CRIME

12. The respondent has not been convicted of a Public Entity crime as defined in Paragraph 287.133(1)(g) of the Florida Statutes. Violation of any State or Federal law with respect to the transaction of business with any public entity or with an agency or political subdivision of any State.

### DEBARMENT AND SUSPENSION DISCLOSURE

13. The Respondent, and its officers, principals, stockholders, subcontractors or its affiliates are not debarred or suspended from contracting with Miami-Dade County as regulated by Section 10-38 of the Miami Dade County Code.

### NON -DISCRIMINATION BASED ON DISABILITY

14. The Respondent is in compliance with and agrees to continue to comply with and assure any subcontractor, or third party contractor under this project complies with all applicable laws forbidding discrimination based on disability including, but not limited to those provisions pertaining to employment, provision of programs and services, transportation, communications. Access to facility, renovations and new construction as set forth in the Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973, the Federal Transit Act and the Fair Housing Act.

### FAIR SUBCONTRACTING

15. Consistent with Section 2-8.8 of the Code of Miami-Dade County, the Respondent has adopted subcontracting policies and procedures which (a) notifies the broadest number of local subcontractors of the opportunity to be awarded a subcontract; (b) invites local subcontractors to submit bids in a practical, expedient way; (c) provides local subcontractors access to information necessary to prepare and formulate a subcontracting bid; (d) allows local subcontractors to meet with appropriate personnel of the Respondent to discuss the Respondent's requirements; and (e) awards subcontracts based on full and complete consideration of all submitted proposals and in accordance with the Respondent's stated objectives.

# FIRM'S RESPONSIBILITY AFFIDAVIT
## "Combined Affidavit"

### RESPONSIBLE WAGE AND BENEFITS (IF APPLICABLE)

16. If applicable, the Respondent is in full compliance with Section 2-11.16 of the Code of Miami-Dade County, and should he or she be awarded the contract, understands his or her obligation to pay the project minimum wage rates set forth in that Section and the labor provisions of the contract documents.

### CLEARINGHOUSE AFFIDAVIT

17. That in compliance with Miami-Dade County Resolution Number R-1395-05, the Respondent agrees to comply with all requirements of the Clearinghouse Resolution and Job Request form for posting job opportunities. Making it a mandatory requirement for Respondents to post notice of job opportunities resulting from the construction of improvements on County property through the County's Clearinghouse process.

**I STATE NOTHING FURTHER IN THIS AFFIDAVIT.**

Signature: _____

Position/Title: Executive VP & COO

Name of Firm: Poole & Kent Company of Florida

The foregoing was sworn and subscribed before me this 19th day of August, 2009 by Patrick H. Carr, who is personally known to me or who has produced _____ as identification who being duly sworn, deposes and says that the above is true to the best of his knowledge, information and belief.

_____
NOTARY PUBLIC
STATE OF FLORIDA

My Commission expires:
10/31/2012

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

COMBINED AFFIDAVIT
Appendix A

# CHECKLIST OF REQUIREMENTS TO CONTRACT

The provisions in this appendix are established as a checklist to identify requirements for each Respondent to adhere in order to comply with all provisions applicable to this Contract. The applicable "check box" is electronically checked by the Department issuing this information.

**In addition this listing identifies, for reference, items contained within the Combined Affidavit to be executed by the Respondent at the time of the submittal. Each page of the Combined Affidavit shall be initialed by the party(s) executing the document.**

| Check Box | Requirement | Resolution/ Ordinance | MDC Code | A.O. | Fed. Acq. Reg./ Florida Statute | Comments | In Combined Affidavit |
|---|---|---|---|---|---|---|---|
| ☒ | Ownership Disclosure | | Section 2-8.1 | | | All contracts shall require the person contracting or transacting to provide ownership information. | Attached |
| ☒ | Contractor's Debarment Affidavit | | Section 10-38 | | | Requires a signed affidavit stating the contractor is not currently debarred or in process of debarment | YES |
| ☒ | Contractor Debarment | | Section 10-38 | | | If debarred, Contractor is not eligible to bid. Failure to comply with any requirements may result in debarment | |
| ☒ | Cone of Silence | | Section 2-11.1 | | | Prohibits communication with County staff between Advertisement and Award Recommendation | |
| ☒ | Code of Business Ethics | | Section 2-8.1 | | | Requires compliance with all applicable rules and regulations | YES |
| ☒ | Public Entity Crime Affidavit | | | | F.S. 287.133 | Contractor has not been convicted of a felony during the past ten years | YES |
| ☒ | Criminal Record | | Section 2-8.6 | | | Disclosure of criminal conviction(s) in the past ten (10) years | YES |
| ☒ | County's Clearinghouse | Resolution R-1395-05 | | | | Contractor to post job opportunities with the County's Department of Business Development | |

# COMBINED AFFIDAVIT

Appendix A

| Check Box | Requirement | Resolution/ Ordinance | MDC Code | A.O. | Fed. Acq. Reg./ Florida Statute | Comments | In Combined Affidavit |
|---|---|---|---|---|---|---|---|
| ☒ | Clearinghouse Affidavit | Resolution R- 1145-99 | | | | Signed affidavit stating compliance with Clearinghouse Resolution and Job Request Form | YES |
| ☒ | Disability Non-discrimination Affidavit | Resolution R-182-00 | | | | Signed affidavit stating non-discrimination against Americans with Disabilities | YES |
| ☒ | Drug Free Workplace Affidavit | | Section 2-8.1.2 | | | Signed affidavit stating that the contractor maintains a Drug Free Workplace | YES |
| ☒ | Drug Free Workplace | | Section 2-8.1.2 | | | Codification of the Drug Free Workplace, contractor requirements to notify each employee and subcontractor | |
| ☒ | Disclosure Affidavit | | Section 2.8-1 | | | Signed affidavit disclosing any Collective Bargaining agreement, Health Care benefits, Workforce Ethnicity and Gender Breakdown | YES |
| ☒ | Delinquent and Currently Fees Due | | Section 2-8.1 | 3-29 | | Contractor to resolve all outstanding financial issues with the County (i.e., fines, tickets, taxes, loans, etc.) | YES |
| ☒ | Family Leave | Ordinance 92-15 | | | | Leave policy for birth, adoption and other family related, without prejudice | YES |
| ☒ | Domestic Leave | Ordinance 99-5 | | | | The firm is in compliance with MDC Code 11A-60 | YES |
| ☒ | False Claims Ordinance | | Sections 21-255 through 21-266 | | | False claims by contractor resulting in bid rejection, cancellation of contract and possible debarment | |
| ☒ | Prompt Payment | | Sections 2-8.1.4, 10-2.02 & 10-33.02 | | HB 509 Engrossed 1 2005 | Sets parameters for payments of Contractors, Sub-contractors, Subs of Sub-contractors and Suppliers | |
| ☒ | First-Tier Subcontracts Disclosure | | Sections 2-8.1 and 10-34 | | | Contractor supplying list of all First-Tier sub contractors at the time of Award, unless specific goals at time of Response | |

COMBINED AFFIDAVIT

Appendix A

| Check Box | Requirement | Resolution/ Ordinance | MDC Code | A.O. | Fed. Acq. Reg./ Florida Statute | Comments | In Combined Affidavit |
|---|---|---|---|---|---|---|---|
| ☒ | Fair Subcontracting Practices | | Section 2-8.8 | | | Non-discrimination in the subcontracting process with sub contractors and suppliers | YES |
| ☒ | Local Preference | | Section 2-8.5 | | | Provision for local business utilization in Miami-Dade County contracts | |
| ☒ | License Requirements | | Section 10-3 | | Chapter 489 | Contractor possessing proper license(s) at the time of Response and throughout the contract | |
| ☒ | Quarterly Reports | Resolution R-113-94 | | | | Contractor to file financial reports quarterly | |
| ☒ | Employment and Procurement Practices | | Section 2-8.1.5 | | | Affirmative Action Plan and Procurement policy when total contracting exceeds $5 million/ year | |
| ☒ | Works in Public Right of Way | | Section 2-103.1 | | | Contractor to restore to the preexisting condition the right of way or shall be subject to a $500 per day civil fine. | |
| ☒ | Inspector General (IG) | | Section 2-1076 | | | Applies to all County Contracts at a rate of ¼ of 1% of the Contract value, unless specifically prohibited by local, state or federal law. | |
| ☒ | Independent Private Sector IG | | Section 2-1076 | | | Hired by the Audit and Management services to perform review of selected contracts. | |
| ☒ | Performance and Payment Bond | Resolution R-345-03 | | | F.S. 255.05 | Establishes the requirements of the Performance and Payment Bond for construction contracts with the County. | |
| ☒ | Bid Bond | | Section 18-14 | | | Contractor to submit a bid bond whenever a Performance and Payment bond is required. | |

COMBINED AFFIDAVIT

Appendix A

| Check Box | Requirement | Resolution/ Ordinance | MDC Code | A.O. | Fed. Acq. Reg./ Florida Statute | Comments | In Combined Affidavit |
|---|---|---|---|---|---|---|---|
| ☒ | Public Record Exemption | | | | F.S. 119.071 | Contractor to maintain a record of the distribution of all Documents, including Plans and return, in full, all Documents upon Contract completion | |
| ☒ | Evaluation of Contractor / Consultant | | | 3-42 | | Requirements to formally evaluate each Contractor / Consultant and resultant review for future work or suspension | |
| ☒ | Collection of Liquidated Damages (LD's) | R-173-8 | | | | Requirement to collect LD's unless waived by Mayor with prior consent from BCC | |
| ☐ | Lobbyist Registration for Oral Presentation | Ordinance 03-107 | Section 2-11.1 | | | Standard form to be executed by the respondent to register as a company representative | |
| ☐ | Community Workforce Program | | Section 2-1701 | 3-37 | | Imposes workforce hiring requirements on construction contracts | |
| ☒ | Community Small Business Enterprise (CSBE) | | Section 10-33.02 | | | When applicable, percentage of CSBE utilization or 100% set-aside | |
| ☒ | Responsible Wage and Benefits | | Section 2-11.16 | | | Establishes wages and benefits per trade, per construction category. Produced quarterly | YES |
| ☐ | Davis-Bacon Act | | | | F.A.R. 52.222 | Applies to federally funded contracts, wages & benefits | |
| ☐ | Buy American Act | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Working hours and Safety/ Overtime Compensation | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Payroll and Records | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Apprentices and Trainees | | | | F.A.R. 52.222 | Applies to federally funded contracts | |

COMBINED AFFIDAVIT

Appendix A

| Check Box | Requirement | Resolution/ Ordinance | MDC Code | A.O. | Fed. Acq. Reg./ Florida Statute | Comments | In Combined Affidavit |
|---|---|---|---|---|---|---|---|
| ☐ | Copeland Act | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Subcontract Labor Standards | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Termination / Debarment | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Labor Standards Disputes | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Certification of Eligibility | | | | F.A.R. 52.222 | Applies to federally funded contracts | |
| ☐ | Disadvantaged Business Enterprise (DBE) | | | | F.A.R. T.A.R. | Applies to federally funded contracts | |

COMBINED AFFIDAVIT
Appendix B

## OWNERSHIP DISCLOSURE FORM

Name of Firm: Poole & Kent Company of Florida
Federal Employer's ID No. 75-3163466
Address of Principal Office: 1781 NW North River Drive
Miami, FL 33125

Managing Miami-Dade County Department: Miami-Dade Water & Sewer Department
Project/Contract/Bid Number: South Miami Heights WTP Reservoir and High Service Pump Station, Contract No. W-857 (A)

| Position[1] | Name (Last, First Middle Initial) | Address | City, State | Zip | Percentage Ownership |
|---|---|---|---|---|---|
| | Stock is 100% owned by EMCOR Group, Inc., a publicly traded company | | | | |
| | on the New York Stock Exchange. | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Signature of Authorized Representative [signature] Date 8/19/09
Print/Type Representative's Name Patrick H. Carr Phone Number: 305-325-1930
Representative's Position/Title Executive VP & COO Facsimile Number: 305-324-0522



[1] Position: P=President, VP=Vice President, TREAS=Treasurer, SECY=Corporate Secretary, D=Director, SH=Shareholder

Published 4/8/2004

Miami-Dade County Department of Business Development
Appendix C to Combined Affidavit

# NOTICE OF CONSTRUCTION CLEARINGHOUSE JOB OPPORTUNITY

Resolution No.: R-1395-05

MIAMI-DADE COUNTY PROVIDES EQUAL ACCESS OPPORTUNITY IN EMPLOYMENT AND SERVICES FOR MINORITIES/FEMALES AND APPLICANTS WITH DISABILITIES

To be completed by Employer/Contractor. Please print clearly or type. Use one form for each position title

## JOB OPPORTUNITY INFORMATION

| | | |
|---|---|---|
| Position Title: | Application Deadline: | |
| Jobsite Location: | Number of Openings: | Hourly Rate: |
| Describe Job Duties (Knowledge, skills and abilities): | | |

Job Duration: ☐Permanent ☐Temporary If temporary, how long? _____ Fringe Benefits: ☐Yes ☐No

Experience Required: ☐No ☐Will Train ☐Yes If yes, how much experience is required? (Months or Years) _____

Education Required: ☐None ☐H.S. Diploma/GED ☐AA Degree ☐Bachelor's Degree ☐Master's Degree ☐Ph.D.

Certifications/Licenses Requires: ☐No ☐Yes If yes, please list; _____

Driver's License Required: ☐None ☐Operator/Class E ☐Commercial Class ____ ☐Chauffer/Class D

Language(s) Required: ☐English ☐Spanish ☐Creole ☐Other; _____

Applicants should contact employer by: ☐Phone ☐Fax Resume ☐Mail Resume ☐In person (days/hours) _____

## EMPLOYER/CONTRACTOR INFORMATION

| | |
|---|---|
| Business Name: | Contract/Project No: |
| Address (Street Name and Number): Suite #: | Federal ID #: |
| City: | Telephone Number: |
| Type of Business: | Fax Number: |
| Contact Person: | E-mail Address: |

**Employer/Contractor, please fax this completed form to:**

Attention: Clearinghouse
Department of Business Development (DBD)
Contract Review and Compliance Division
111 NW First Street, 19th Floor
Miami, Florida 33128
Telephone: (305) 375-3111 Fax: (305) 375-3160

********** FOR OFFICIAL USE ONLY **********

| | |
|---|---|
| Date and time this notice received at Miami-Dade Department of Business Development. | Received By: |

# QUESTIONNAIRE

Appendix D

MIAMI-DADE COUNTY

IN ORDER TO PROVIDE INFORMATION NECESSARY IN DETERMINING THE QUALIFICATIONS OF THE PROPOSER, EACH CONTRACTOR IS REQUIRED TO ANSWER THE FOLLOWING:

| # | QUESTION | ANSWER |
|---|---|---|
| 1 | Have you carefully read the Instruction To Prospective Contractors? | [X] YES [ ] NO |
| 2 | Have you carefully reviewed the entire Contract Documents as identified within the Instruction To Prospective Contractors? | [X] YES [ ] NO |
| 3 | If identified in the Contract Documents, have you carefully inspected the site of the work? | [X] YES [ ] NO [ ] N/A |
| 4 | Have you requested, in writing, of the contact person identified in the Advertisement, any clarifications necessary to submit a responsive proposal?<br>Have you received a written response of clarification? | [X] YES [ ] NO<br>[X] YES [ ] NO [ ] N/A |
| 5 | Are you licensed and certified to perform the work for which you are submitting this proposal?<br>License No.:<br>Competency No.:<br>FEIN No.:<br>Qualifier's Name: | [X] YES [ ] NO<br>536885-7<br>CGC061808<br>75-3163466<br>David A. Strickland |
| 6 | Are you registered with the Miami-Dade County Department of Procurement Management (DPM)? | [X] YES [ ] NO |
| 7 | Have you initialed each page and executed the last page of the Combined Affidavit? | [X] YES [ ] NO |
| 8 | Have you completed the Ownership Disclosure Form? | [X] YES [ ] NO |
| 9 | Have you made any changes or written any codicils to the Contract Proposal? | [ ] YES [X] NO |
| 10 | How many previous Contracts with Miami-Dade County in the past five (5) years? | 6 |
| 11 | Total dollar value of Contracts with Miami-Dade County in the past five (5) years? | $204,249,382 |
| 12 | How many years has your Company been in business with the same Principals? | Poole & Kent Co. of FL - 5 year<br>The Poole and Kent Co. - 56 yea |
| 13 | Is your Bid Bond included with your submitted proposal? | [X] YES [ ] NO [ ] N/A |



52

# QUESTIONNAIRE

## Appendix D

WHEN THE CONTRACTOR IS A CORPORATION:

(CORPORATION SEAL)
(Name of Corporation)

ATTEST

By: _____
Assistant (Secretary)

David W. McCluskey
(Print or type name)

1781 NW North River Drive
Miami, FL 33125
(Address)

_____
(Signature of Officer)

Patrick H. Carr
(Print or type name)

Executive VP & Chief Operating Officer (Official Title)

(PARTY OF THE SECOND PART)

Attach to each counterpart a certified copy of a resolution of the Board of Directors of the corporation authorizing the officer who signs the Contract, the Performance Bond and Payment Bond to do so in its behalf.

WHEN THE CONTRACTOR IS A JOINT VENTURE:

_____
(Name of Joint Venture)

By: _____
(Signature of Joint Venture)

_____
(Print or type name)

_____
(Title)

_____
(Signature of Joint Venture)

_____
(Print or type name)

_____
(Title)

_____
_____
(Address)

NOTE: Complete Joint Venture in accordance with Section 5 of the Instructions to Prospective Contractors.



53

# QUESTIONNAIRE

Appendix D

WHEN THE CONTRACTOR IS A SOLE PROPRIETORSHIP
OR OPERATES UNDER A TRADE NAME:

_____ _____
(Name of firm if applicable) (Address)

By:_____ _____
(Witness signature) (Signature of individual)

By:_____ _____
(Print or type name) (Print or type name)

By:_____
(Witness signature)

By:_____
(Print or type name)

ACKNOWLEDGEMENT:

STATE OF )
)SS.:
COUNTY OF )

Before me personally appeared _____ to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this_____ day of_____ , AD 20__.

Notary Public _____

State of _____ at large

My Commission expires _____.

# QUESTIONNAIRE

## Appendix D

WHEN THE CONTRACTOR IS AN INDIVIDUAL:

By: _____ _____
(Witness signature) (Signature of individual)

By: _____ _____
(Print or type name) (Print or type name)

_____
(Address)

By: _____
(Witness signature)

By: _____
(Print or type name)

(PARTY OF THE SECOND PART)

ACKNOWLEDGEMENT:

STATE OF )
)SS.:
COUNTY OF )

Before me personally appeared _____ to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, AD 20___.

Notary Public _____

State of _____ at large

My Commission expires_____.



55

## LOCAL PREFERENCE AFFIDAVIT

**CONTRACT NAME AND NUMBER:** South Miami Heights Water Treatment Plant Reservoir and High Service Pump Station W-857

**NAME OF FIRM:** Poole & Kent Company of Florida

I, Steven C. Jordan (Print or type name) holding the position of President & CEO with the above named firm,

And being first duly sworn state:

That in compliance with Section 2-8.5 of the Code of Miami-Dade County, Florida, the above named firm is qualified for **LOCAL PREFERENCE** based on the following:

1 - Location of qualifying address: 1781 NW North River Drive, Miami, FL 33125
(Circle one below.)

(a.) Headquarters; or

b. Physical business address from which the vendor operates, or performs business;

Which either address is located within the Miami-Dade County, Florida.

2 - Compliance with all the additional required items in the aforementioned Ordinance.

By: _____ (Signature) Date: 6/3/09

Telephone No.: 305-325-1930

**CORPORATION, JOINT VENTURE, PARTNERSHIP OR INDIVIDUAL:**

SELECT ONE:

[X] Corporation [ ] Joint Venture [ ] Partnership [ ] Individual

**DO NOT WRITE BELOW THIS LINE. TO BE COMPLETED BY THE NOTARY PUBLIC.**

**NOTARY PUBLIC INFORMATION**

State of Florida )
) SS
County of Miami-Dade )

He/She is: [X] personally known to me, or

[ ] has produced _____ as identification.
(Type of ID)

The foregoing instrument was acknowledged before me this 3rd day of June, 20 09.

Notary Signature: _____

Type or Print Name: Christine Mendez

Notary Seal: CHRISTINE MENDEZ MY COMMISSION # DD 808798 EXPIRES: October 31, 2012 Bonded Thru Notary Public Underwriters

Serial Number: _____

Expiration Date: 10/31/2012

# BIDDER'S AFFIDAVIT

Project No.: W-857 Date: June 3, 2009

Project Title: South Miami Heights Water Treatment Plant Reservoir and High Service Pump Station

STATE OF FLORIDA )
)ss.:
COUNTY OF MIAMI-DADE )

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Steven C. Jordan

who, after being first duly sworn, upon oath deposes and says that he is an authorized representative of: Poole & Kent Company of Florida

Legal name, Corporation, Partnership, Firm, Individual

(hereinafter called Bidder), located at: 1781 NW North River Drive, Miami, Florida 33125

and, that said Bidder or his agents, officers, principals, stockholders, subcontractors or their affiliates are not debarred by Miami-Dade County.

ATTEST:

Witness Signature

Witness Signature

By: Signature

Steven C. Jordan, President & CEO

Legal Name of Bidder

**SUBSCRIBED AND SWORN TO BEFORE ME** this 3rd day of June, 20 09

(Seal)

Notary Public, State of Florida at Large

October 31, 2012

My Commission Expires

**- ATTACH TO PROPOSAL -**

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

Miami-Dade County
Department of Procurement Management
**Affirmation of Vendor Affidavits**

In accordance with Ordinance 07-143 amending Section 2-8.1 of the Code of Miami-Dade County, effective June 1, 2008, vendors are required to complete a new Vendor Registration Package, including a Uniform Affidavit Packet (Vendor Affidavits Form), before being awarded a new contract. The undersigned affirms that the Vendor Affidavits Form submitted with the Vendor Registration Package is current, complete and accurate for each affidavit listed below.

**Contract No.:** W-857 **Federal Employer Identification Number (FEIN):** 75-3163466

**Contract Title:** South Miami Heights WTP Reservoir and High Service Pump Stati

## Affidavits and Legislation/ Governing Body

| | | | |
|---|---|---|---|
| 1. | ***Miami-Dade County Ownership Disclosure*** *Sec. 2-8.1 of the County Code* | 6. | ***Miami-Dade County Vendor Obligation to County*** *Section 2-8.1 of the County Code* |
| 2. | ***Miami-Dade County Employment Disclosure*** *County Ordinance No. 90-133, amending Section 2.8-1(d)(2) of the County Code* | 7. | ***Miami-Dade County Code of Business Ethics*** *Article 1, Section 2-8.1(i) and 2-11(b)(1) of the County Code through (6) and (9) of the County Code and County Ordinance No 00-1 amending Section 2-11.1(c) of the County Code* |
| 3. | ***Miami-Dade County Employment Drug-free Workplace Certification*** *Section 2-8.1.2(b) f the County Code* | 8. | ***Miami-Dade County Family Leave*** *Article V of Chapter 11 of the County Code* |
| 4. | ***Miami-Dade County Disability Non-Discrimination*** *Article 1, Section 2 8.1.5 Resolution R182-00 amending R-385-95* | 9. | ***Miami-Dade County Living Wage*** *Section 2-8.9 of the County Code* |
| 5. | ***Miami-Dade County Debarment Disclosure*** *Section 10.38 of the County Code* | 10. | ***Miami-Dade County Domestic Leave and Reporting*** *Article 8, Section 11A-60 11A-67 of the County Code* |

Steven C. Jordan — Printed Name of Affiant
President & CEO — Printed Title of Affiant
Signature of Affiant
Poole & Kent Company of Florida — Name of Firm
June 3, 2009 — Date
1781 NW North River Dr, Miami — Address of Firm
Florida — State
33125 — Zip Code

***Notary Public Information***

Notary Public - State of Florida County of Miami-Dade

*Subscribed and sworn to* (or affirmed) before me this 3rd day of June 20 09.

by Steven C. Jordan He or she is personally known to me [X] or has produced identification [ ]

Type of identification produced

Signature of Notary Public
DD 808798 — Serial Number

Christine Mendez — Print or Stamp of Notary Public
10/31/2012 — Expiration Date

Notary Public Seal
CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

5/29/2008

# FAIR WAGE AFFIDAVIT

Before me, the undersigned authority appeared Steven C. Jordan (print name), the President & CEO (print title) of Poole & Kent Company of Florida (print name of Bidder or Proposer), who attests that Poole & Kent Company of Florida (print name of bidder or proposer) shall pay workers on the project minimum wages rates in accordance with Section 2-11.16 of the Miami-Dade County Code, and the Labor Provisions of the contract documents.

STATE OF FLORIDA)
SS
COUNTY OF DADE)

The aforegoing instrument was acknowledged before me this 3rd day of June, 20 09, _____ on behalf of Steven C. Jordan, who is personally known to me or has produced _____, as identification and who [ ] did [X] did not take an oath.

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

## CLEARINGHOUSE

FOR POSTING NOTICE OF JOB OPPORTUNITIES RESULTING FROM THE CONSTRUCTION OR IMPROVEMENTS ON COUNTY PROPERTY

**(RESOLUTION NO. R-937-98 as amended by RESOLUTION NO. R-1145-99)**

Contract No. W-857 Date: June 3, 2009

Contract Name: South Miami Heights WTP Reservoir and High Service Pump Station

Federal Employer Identification Number: 75-3163466

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Steven C. Jordan who, after being first duly sworn, upon oath deposes and says that he/she is an authorized representative of: Poole & Kent Company of Florida (hereinafter called Bidder)

Legal Name, Corporation, Partnership, Firm, Individual

located at 1781 N.W. North River Drive, Miami, FL 33125

Address, City, State

and that said Bidder or respondent **has read the following information.**

The procedures direct the contractor to forward a notice of job vacancy(ies) (form attached) created as a result of this construction work to the Director of the Employee Relations Department, located at Stephen P. Clark Center, 111 NW 1st Street, Suite 2110, Miami, Florida 33128. The job vacancy notices should be delivered within 10 working days following the award of the contract. (A contract is considered awarded effective ten days after the date of the Board of County Commissioners meeting.) The Director of the Employee Relations Department will in turn distribute said job announcements to all Miami-Dade County facilities participating in the notification requirements of this Resolution.

Witness Signature By: Signature

Margarita Cameado President & CEO

Witness Signature Legal Name and Title

The foregoing instrument was acknowledged before me this 3rd day of June, 20 09

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:

By: _____

FOR A CORPORATION, PARTNERSHIP OR JOINT VENTURE:

By: Steven C. Jordan having the title of President & CEO

with Poole & Kent Company of Florida

(X) a corporation ( ) partnership ( ) joint venture,

on behalf of the ( ) corporation ( ) partnership ( ) joint venture

He/She is (X) personally known to me, or ( ) has produced _____ as identification.

(Seal) October 31, 2012

Notary Public My Commission Expires

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters



60

**MIAMI-DADE**
**EMPLOYMENT DISCLOSURE AFFIDAVIT**

Contract No.: W-857

Name of Firm: Poole & Kent Company of Florida

Name of Person Completing Affidavit: Steven C. Jordan

Position: President & CEO

Phone Number: 305-325-1930

I, Steven C. Jordan, being first duly sworn state: That in compliance with Section 2-8.1, Sub-Section (d)(2), the following information and attachments are provided and are in compliance with all items in the aforementioned Section:

1. Does your firm have a bargaining agreement with your employees: (YES) or NO (circle one)

2. Provide a schedule of wage rates (including overtime) and benefits to be paid employees performing work under subject contract reference.

3. Provide description of health care benefits to be paid to employees performing work under contract reference.

4. Provide current breakdown of your firm's work force as to race, national origin and gender.

Signature

June 3, 2009
Date

STATE OF Florida )
)ss.:
COUNTY OF Miami-Dade )

PERSONALLY APPEARED BEFORE ME, the undersigned authority, Steven C. Jordan
name of individual signing
who, after first being sworn by me, affixed his/her signature in the space provided above on this

3rd day of June, 20 09.

(Seal)

Notary Public

October 31, 2012
My Commission Expires:

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

## SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Proposal Form for Project No. W-857

   for South Miami Heights WTP Reservoir and High Service Pump Station

2. This sworn statement is submitted by Poole & Kent Company of Florida
   [name of entity submitting sworn statement]

   whose business address is 1781 NW North River Drive, Miami, FL 33125

   _____ and

   (if applicable) its Federal Employer Identification Number (FEIN) is 75-3163466.

   (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

3. My name is Steven C. Jordan and my relationship to the
   [please print name of individual signing]

   entity named above is President & CEO.

4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

   1. A predecessor or successor of a person convicted of a public entity crime: or

   2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.



62

## SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which supplies a quote on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [Please indicate which statement applies.]

X Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND [Please indicate which additional statement applies.]

_____ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted contractor list. [Please attach a copy of the final order.]

_____ The person or affiliate was placed on the convicted contractor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted contractor list. [Please attach a copy of the final order.]

_____ The person or affiliate has not been placed on the convicted contractor list. [Please describe any action taken by or pending with the Department of General Services.]

_____ (signature) June 3, 2009 (date)

STATE OF Florida

COUNTY OF Miami-Dade

PERSONALLY APPEARED BEFORE ME, the undersigned authority, Steven C. Jordan [name of individual signing]

who, after first being sworn by me, affixed his/her signature in the space provided above on this 3rd day of June, 20 09.

(Seal)

_____ Notary Public

October 31, 2012 My Commission Expires:

CHRISTINE MENDEZ
MY COMMISSION # DD 808798
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters



63

# AFFIRMATIVE ACTION PLAN / PROCUREMENT POLICY AFFIDAVIT

Project No. W-857

Project Name: South Miami Heights WTP Reservoir and High Service Pump Station

STATE OF Florida )
)ss.:
COUNTY OF Miami-Dade )

Before me, the undersigned authority, authorized to administer oaths and take, acknowledgments, personally appeared Steven C. Jordan, President & CEO who after first being duly sworn, upon oath, deposes and says that he/she is an authorized representative of: Poole & Kent Company of Florida
(legal name, corporation, partnership, firm, individual)
hereinafter called the bidder or proposer located at: 1781 NW North River Drive, Miami, FL 33125
(address, city, state)
and that said bidder or proposer has a current Affirmative Action Plan and/or Procurement Policy, as required by Ordinance 87-32 and/or 98-30, processed and approved for filing with the Miami Dade County Department of Business Development (DBD) under the file No. 5239 and the expiration date of March 31, 2010

Witness Signature

Margarita Canedo
Witness Signature

By: Signature

Steven C. Jordan, President & CEO
Legal Name and Title

The foregoing instrument was acknowledged before me this 3rd day of June, 20 09

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:
By: _____

FOR A CORPORATION, PARTNERSHIP OR JOINT VENTURE:
By: Steven C. Jordan having the title of President & CEO
with Poole & Kent Company of Florida
(X) a corporation ( ) partnership ( ) joint venture,
on behalf of the ( ) corporation ( ) partnership ( ) joint venture

He/She is (X) personally known to me, or ( ) has produced _____ as identification.

(Seal)

Notary Public

CHRISTINE MENDEZ
MY COMMISSION # DD 808799
EXPIRES: October 31, 2012
Bonded Thru Notary Public Underwriters

10/31/2012
My Commission Expires:

*Please note:*
*Ordinance 87-32 requires that all properly licensed architectural, engineering, landscape architectural, and surveyors and mappers have an affirmative action plan on file with the County.*

*Ordinance 98-30 requires that firms that have annual gross revenues in excess of five (5) million dollars have an affirmative action plan and procurement policy on file with the County. Firms that have Board of Directors that are representative of population the make-up of the nation are exempt.*

*For questions regarding these requirements contact the Department of Business Development at 305-523-2100.*

MIAMI-DADE COUNTY

Carlos Alvarez, Mayor

Capital Improvements
111 NW 1st Street • Suite 2130
Miami, Florida 33128-1926
T 305-375-2724 F 305-372-6130

miamidade.gov

RECEIVED
APR 6 - 2009
POOLE & KENT

April 1, 2009

Richard Harrington
POOLE AND KENT COMPANY OF FLORIDA
1781 NW North River Dr
Miami, FL 33126-0000

RE: Affirmative Action Plan (No. 5239)

Dear Mr. Harrington:

Your Affirmative Action Plan for 2009 - 2010 has been approved. Your AAP approval is effective until March 31, 2010. Enclosed is your Affirmative Action Declaration of Policy Certificate for display in a conspicuous location within your facility.

Miami-Dade County Ordinance 98-30 requires the submission of a current Affirmative Action Plan on an annual basis. Your renewal application should be submitted to the Office of Capital Improvements thirty (30) days prior to your Plan's expiration date. The processing time for the review and approval of an AAP file is approximately ten (10) business days provided that all of the necessary information has been received.

In the event of a change in the firm's name, address, telephone number or dissolution of the firm, please notify this Department so we can update our records.

If you have any questions, please contact the Affirmative Action Unit at (305)375-5637.

Sincerely,

Luisa M. Millan

Luisa M. Millan, R.A., Chief
Professional Services Division/Office of Capital Improvements

AAPR0310 v20080307

65

# AFFIRMATIVE ACTION PLAN EXEMPTION AFFIDAVIT

Project No. _____

Project Name: _____

STATE OF _____)
)ss.:
COUNTY OF _____)

Before me, the undersigned authority, authorized to administer oaths and take, acknowledgments, personally appeared _____
who after first being duly sworn, upon oath, deposes and says that he/she is an authorized representative of: _____
(legal name, corporation, partnership, firm, individual)
hereinafter called the bidder or proposer located at: _____
_____
(address, city, state)
and that said bidder or proposer has a Board of Directors which is representative of the population make-up of the nation and hereby claims exemption in accordance with the requirements of Ordinance 98-30. Said bidder or proposer has a current Board of Directors Disclosure form, as required by Ordinance 98-30, processed and approved for filing with the Miami-Dade County Department of Business Development (DBD) under the file No. _____
_____ and the expiration date of _____

_____ By: _____
Witness Signature Signature

_____ _____
Witness Signature Legal Name and Title

The foregoing instrument was acknowledged before me this____ day of_____, 20__

FOR A CORPORATION, PARTNERSHIP OR JOINT VENTURE:
By: _____ having the title of _____
with _____
( ) a corporation ( ) partnership ( ) joint venture,
on behalf of the ( ) corporation ( ) partnership ( ) joint venture

He/She is ( ) personally known to me, or ( ) has produced _____ as identification.

(Seal)

_____ _____
Notary Public My Commission Expires:

*Please note:*
*Ordinance 98-30 requires that firms that have annual gross revenues in excess of five (5) million dollars have an affirmative action plan and procurement policy on file with the County. Firms that have Boards of Directors that are representative of the make-up of the nation are exempt.*

*For questions regarding these requirements contact the Department of Business Development at 305-523-2100.*

This affidavit must be properly executed by the bidder and included in the proposal/bid.

# MIAMI-DADE COUNTY
## BOARD OF DIRECTORS DISCLOSURE FORM
(Ordinance 98-30)

Date: June 3, 2009

Project No.: W-857

Project Name: South Miami Heights WTP Reservoir and High Service Pump Station

Bidder/Proposer: Poole & Kent Company of Florida
(Legal name, corporation, partnership, firm)

| Board Member | Term Expiration | Company / Organization | Telephone Number | Race/Ethnicity/Gender |
|---|---|---|---|---|
| Kevin R. Matz | NDS | Poole & Kent Company of Florida | (305) 325-1930 | Caucasian male |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

This form must be submitted to Miami-Dade County's Department of Business Development.



67

**Poole & Kent**
Contractors
*An EMCOR Company*

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

June 3, 2009

Miami-Dade Water and Sewer Department
3575 S. LeJune Road, #112-7
Miami, FL 33134

Attn: Isaac Smith, Manager Construction Contracts

Re: **South Miami Heights Water Treatment Plant**
**Reservoir and High Service Pump Station**
**Contract No. W-857**

Dear Mr. Smith:

We hereby request bid consideration due to our participation in the Mentor-Protege Program.

Sincerely,

POOLE & KENT COMPANY OF FLORIDA

Steven C. Jordan
President & CEO

SCJ/cm

DBD
DEPARTMENT OF
BUSINESS DEVELOPMENT

MIAMI-DADE COUNTY FLORIDA

Community Small Business
CSBE
Enterprise Program

# CERTIFICATE OF PARTICIPATION

In recognition of

*Steven C. Jordan—The Poole and Kent Company*

*Participating as a Mentor in the Inaugural Mentor-Protégé Program*

Martha E. Jackman, Director
Department of Business Development

Date

Ronald R. Frazier, Chairman
CSBE Advisory Board

Date

69

# DECLARATION OF POLICY

**Affirmative Action Plan No: 5239**
**Expiration Date: 03/31/2010**

POOLE AND KENT COMPANY OF FLORIDA
1781 NW North River Dr
Miami, FL 33126-0000

Phone: 305-325-1930
Fax: 305-324-0522

In accordance with the requirements of Miami-Dade County Ordinance 82-37 and/or Ordinance 98-30 and Resolution No. 1049-93, POOLE AND KENT COMPANY OF FLORIDA affirms its commitment to equal employment opportunity and has submitted an Affirmative Action Plan for the purpose of maintaining that promise with particular emphasis on the minority workforce population and the utilization of minority professional firms, consultants and/or suppliers.

MIAMI-DADE

Richard Harrington
Affirmative Action Officer

4-6-2009
Date

Luisa M. Millan, R.A., Chief
Professional Services Division/Office of Capital Improvements

04/01/2009
Date

AAPR0055 v20060307

70

**U.S. Department of Labor**
Employment Standards Administration
Wage and Hour Division

# PAYROLL

**(For Contractor's Optional Use; See Instructions, Form WH-347 Inst.)**

*Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.*

OMB No.: 1215-0149
Expires: 03/31/2003

NAME OF CONTRACTOR ☐ OR SUBCONTRACTOR ☐ | ADDRESS

PAYROLL NO. | FOR WEEK ENDING | PROJECT AND LOCATION | PROJECT OR CONTRACT NO.

| (1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE | (2) NO. OF WITHHOLDING EXEMPTIONS | (3) WORK CLASSIFICATION | OT. OR ST. | (4) DAY AND DATE / HOURS WORKED EACH DAY | | | | | | | (5) TOTAL HOURS | (6) RATE OF PAY | (7) GROSS AMOUNT EARNED | (8) DEDUCTIONS FICA | WITH-HOLDING TAX | | | OTHER | TOTAL DEDUCTIONS | (9) NET WAGES PAID FOR WEEK |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |
| | | | O | | | | | | | | 0.00 | | $0.00 | | | | | | | |
| | | | S | | | | | | | | 0.00 | / | | | | | | | $0.00 | $0.00 |

We estimate that it will take an average of 56 minutes to complete this collection of information, including time for reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Date _____

I, _____, _____
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

_____ on the
(Contractor or Subcontractor)

_____; that during the payroll period commencing on the
(Building or Work)

_____ day of _____, _____, and ending the _____ day of _____, _____,
all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

_____ from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Start. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c), and described below:

_____

_____

_____

_____

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

☐ – In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

☐ – Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

| EXCEPTION (CRAFT) | EXPLANATION |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

REMARKS:

| NAME AND TITLE | SIGNATURE |
|---|---|
| | |

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

* U.S. G.P.O.:1997 519.861

AIR CONDITIONING AND REFRIGERATION
PIPEFITTERS LOCAL UNION 725

Kenny Scott
Business Manager
Financial Secretary-Treasurer

13185 NW 45th Avenue
Miami, Florida 33054
www.ua725.org

Dade: (305) 681-8596
Broward: (954) 523-2424
Fax: (305) 688-1139

Jim Taylor
Business Agent

May 21, 2009

Mr. Steve Jordan
The Poole & Kent Company of Florida
1781 NW North River Drive
Miami, FL 33142

Dear Mr. Jordan:

Our records indicate that there are presently twenty-four (24) members referred to and employed by The Poole & Kent Company of Florida from Local Union 725. The breakdown by race and gender is as follows:

| | |
|---|---|
| Black | 7 |
| Caucasian | 11 |
| Hispanic | 6 |
| Total: | 24 |
| Male | 23 |
| Female: | -1- |
| Total: | 24 |

If you need any additional information, please do not hesitate to contact this office.

Sincerely,

Kenneth E. Scott, Jr.
Business Manager/
Financial Secretary-Treasurer

KES/jd

UNITED ASSOCIATION
of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of
the United States and Canada

Founded 1889

William P. Hite
*General President*

Patrick R. Perno
*General Secretary-Treas.*

Stephen F. Kelly
*Assistant General Pres.*

Letters should be confined to one subject

UA Local Union: 519
14105 N.W. 58th Court, Miami Lakes FL, 33014

Subject: **Race and Gender Breakdown**

May 11, 2009

Christine Mendez
Poole and Kent Contractors
1781 NW N River Dr
Miami FL 33125

As requested, we are providing you with the information on the above referenced. Our records indicate that there are presently six (6) Local Union 519 members referred to and employed by Poole and Kent Contractors. The breakdown by race and gender is as follows:

| | | |
|---|---|---|
| • Black | 1 | 20% |
| • Caucasian | 3 | 60% |
| • Hispanic | 1 | 20% |
| Total | 5 | 100% |
| • Males | 5 | 100% |

Sincerely,

Phil E. Trucks, Jr.
Business Manager /
Financial Sec./Treas.

PET/et
Letters, Contractors, Race and Gender Breakdown, Poole & Kent 051109

RECEIVED
APR 27 2009
POOLE & KENT

# SCHEDULE OF INTENT AFFIDAVIT
## COMMUNITY SMALL BUSINESS ENTEPRISE PROGRAM PARTICIPATION

Name of Prime Contractor Firm: Poole & Kent Company of Florida
Contact Person: Patrick H. Carr
Address: 1781 NW North River Drive, Miami, FL 33125
Phone: 305-325-1930 Fax: 305-325-9586
Project Name: South Miami Heights Water Treatment Plant and High Service Pump Station
Project Number: W-857
CSBE Contract Measure:

This form must be completed by the Prime Contractor and the CSBE Subcontractor that will be utilized for scopes of work on the project. Bidders must include this form in a separate envelope at the time of bid submission.

| Name of Prime Contractor | Certification No. (if applicable) | Certification Expiration Date (if applicable) | Type of CSBE work to be performed by Prime Contractor | Prime Contractor % of Bid |
|---|---|---|---|---|
| | | | | |
| | | | Prime Contractor Total Percentage: | |

The undersigned intends to perform the following work in connection with the above contract:

| Name of Subcontractor | Certification No. | Certification Expiration Date | Type of CSBE work to be performed by Subcontractor | Subcontractor % of Bid |
|---|---|---|---|---|
| DODEC, INC. | 746 | 4/30/09 | MECHANICAL | 13.6 |
| | | | | |
| | | | | |
| | | Subcontractor Total Percentage: | | 13.6 |

I certify that the representations contained in this form are to the best of my knowledge true and accurate.

| Prime Signature | Prime Print Name | Prime Print Title | Date |
|---|---|---|---|
| | Steven C. Jordan | President & CEO | 4-28-09 |

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

| Subcontractor Signature | Subcontractor Print Name | Subcontractor Print Title | Date |
|---|---|---|---|
| | T. O. PANTRY | PRESIDENT | 4.21.09 |

☐ Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.

DRD 400

# COMBINED SCHEDULE OF INTENT AFFIDAVIT (SOI) CHECKLIST

PROJECT NUMBER: W-857(A) BID SUBMISSION DATE: 6/03/09

PROJECT TITLE: South Miami Heights Water Treatment Plant (SMHWTP) Reservoir and High Service Pump Station

CSBE CONTRACT MEASURE: 13% CSBE Goal

## THE FOLLOWING FIRMS ARE RESPONSIVE :

FIRM NAMES:
AFCO Contractors, Inc.
Cardinal Contractors, Inc.
Harry Pepper & Associates
Horizon Contractors, Inc.
John J. Kirlin
Metro Equipment Service, Inc.
Munilla Construction Management d/b/a MCM
Poole & Kent Company of Florida
Skanska USA Building, Inc.

CORRECTABLE DEFECTS ON THE SOI: PLEASE CHECK ALL ITEMS THAT APPLY

_____ SCOPE OF WORK NOT IDENTIFIED FOR SUBCONTRACTOR

_____ NO SIGNATURE OF SUBCONTRACTOR

_____ NO SIGNATURE OF PRIME

_____ NO SIGNATURE ON OTHER DOCUMENTS SUBMITTED WITH SOI FORM

**DBD USE ONLY**

| | | |
|---|---|---|
| X SOIS Responsive | ____ SOI Not Responsive | ____ Eligible for Bid Preference |
| Kelly Duncombe | Kelly Duncombe | 6/05/09 |
| Specialist Name | Specialist Signature | Date |

THIS IS A PRELIMINARY REVIEW, AND DOES NOT CONSTITUTE A COMPLIANCE REVIEW BY SBD.

Department of Small Business Development
111 NW First Street 19th Floor Miami, FL 33128
Phone (305) 375-3111 Fax (305) 375-3160

# Memorandum

MIAMI-DADE COUNTY

**Date:** August 14, 2009

**To:** John W. Renfrow, Director
Water And Sewer Department

**From:** Veronica Clark for
Penelope Townsely, Director
Department of Small Business Develoment

**Subject:** CSBE Compliance Review of Project No: W-857(A), South Miami Heights Water Treatment Plant Reservior and High Service Pump Station

---

The Department of Small Business Development (SBD) has completed a compliance review for the subject project with the Community Small Business Enterprise (CSBE) Program. The contract measure applicable to this project is a 13% CSBE goal. The Construction Contracts Section of the Miami-Dade Water and Sewer Department (WASD) submitted bid documents from The Poole & Kent Company of Florida for compliance review.

The Poole & Kent Company of Florida submitted the required Schedule of Intent (SOI) Affidavit committing to utilize Dodec, Inc., a certified CSBE firm, to perform mechanical work at 13.6%. Dodec, Inc. signed the SOI Affidavit in agreement with the information listed. As such, The Poole & Kent Company of Florida is in compliance with the CSBE Participation Provisions.

SBD staff only reviewed and addressed compliance with the CSBE program and the established contract measure. The Construction Contracts Section of the Miami-Dade Water and Sewer Department is responsible for any other issues that may exist.

Should you have any questions or need any additional information, please do not hesitate to call Kelly Duncombe at (305) 375-3136.

c: Isaac Smith, Manager, Construction Contracts, WASD
Betty Alexander, SBD
Patrice King, SBD
File

# SUBCONTRACTOR/SUPPLIER LISTING
(ORDINANCE 97-104 as amended)
[Dade County Code Secs. 2-8.1 (f) and 10-34]

Contract No. W-857(A) Date: July 29, 2009
Contract Name: South Miami Heights WTP Reservoir and High Service Pump Station
Federal Employer Identification Number: 75-3163466

This form should be completed by all bidders, and respondents on County contracts for **purchase of supplies, materials or services, including professional services which involve expenditures of $100,000 or more**, and all bidders and respondents on County or Public Health Trust construction contracts which involve expenditures of $100,000 or more. **A bidder or respondent who is awarded the contract shall not change, or substitute first tier subcontractors or direct suppliers** or the portions of the contract work to be performed, or materials to be supplied from those identified **except upon written approval of the County.**

| Business Name and Address of First Tier Subcontractor/Sub-Consultant | Principal Owner | Scope of Work to be Performed by Subcontractor/ Sub-Consultant | Principal Owner Gender | Principal Owner Race |
|---|---|---|---|---|
| Shoreline Foundation Inc. P.Pines, FL | B. Reed | Augercast Piles | M | W |
| Dodec Inc, Hialeah Gardens, FL | Trevor Pantry | Mechanical Work | M | B |
| Bristol, Watertown, CT | Emerson | Instrumentation & Controls | N/A | N/A |
| Southland Painting Corp. Ft. Lauderdale, FL | Jeff Verhelst | Painting | M | W |
| Vanderbilt Development Inc. Mia, FL | E. Morales | General Construction | M | W |

| Business Name and Address of Direct Supplier | Principal Owner | Supplies/Materials/Services to be Provided by Supplier | Principal Owner Gender | Principal Owner Race |
|---|---|---|---|---|
| Advanced Overhead Sys. Lakeland, FL | J. Haney | Crane and runway system | M | W |
| Lehman Pipe, Miami, FL | D. Lehman | Piping, valves & fittings | M | W |
| Ferguson Waterworks, Pineville, NC | Wolseley PLC | Piping, valves & fittings | N/A | N/A |
| Moss Kelley, Coral Springs, FL | Jim Kelley | Gates, cone valves, prime system | M | W |
| American Cast Iron, Birmingham, AL | employee owned | Ductile Iron Pipe | Privately held | |

I certify that the representations contained in this Subcontractor/Supplier Listing are, to the best of my knowledge, true and accurate.

| Prime Contractor/Respondent Signature | Print Name | Print Title | Date |
|---|---|---|---|
| | Patrick H. Carr | Executive VP & COO | 7/29/09 |



Revised 3/5/00

FINAL

Exit

# Capital Improvements Information System

## Contractor Evaluations Report

| Dept | Contract | Type | Contractor / Architect Name | Date | Rater | Period | Rate |
|---|---|---|---|---|---|---|---|
| WS | S-812 (A) | CON | Poole & Kent Company of Florida | 9/28/2009 | Mario Garcia | Interim | 3.5 |
| WS | S-805 (A) | CON | Poole & Kent Company of Florida | 9/29/2009 | Mario Garcia | Interim | 3.3 |
| WS | S-816 (A) | CON | Poole & Kent Company of Florida | 9/10/2009 | Mario Garcia | Completion of construction | 4.0 |

Evaluation Count: 3 Contractors: 1 Average Evaluation: 3.6

Exit

79

Find Contracts With Search String ==> | Projects

Goto Bottom

Exit

# OFFICE OF CAPITAL IMPROVEMENTS
## CAPITAL IMPROVEMENTS INFORMATION SYSTEM
**Friday, October 16, 2009**

### All Contracts for FEIN 753163466
## Poole & Kent Company of Florida

| DST | DPT | Type | Contract | Name | Location / Contractor | Estimated Completion Date | Total Award | Last Status Date | % Complete / Status * |
|---|---|---|---|---|---|---|---|---|---|
| 8 | WS | CON | S-805 (A) | South District Wastewater Treatment Plant, HLD U | Poole & Kent Company of Florid | 8/3/2013 | $117,878,767 | 9/15/2009 | 39% / Ahead of Schedule |
| 8 | WS | CON | S-812 (A) | South District Wastewater Treatment Plant, HLD U | Poole & Kent Company of Florid | 6/14/2011 | $16,014,600 | 9/15/2009 | 48% / Ahead of Schedule |
| 8 | WS | CON | S-816 (A) | South District Wastewater Treatment Plant, HLD U | Poole & Kent Company of Florid | 3/18/2010 | $7,815,000 | 9/15/2009 | 90.63% / Work Complete, Pending Close-O |
| | | | | | Totals: | 3 | $141,708,367 | | |

* Yellow Status=Inactive Contract

Contracts Status View | Exit | Projects | Goto Top

80

**Poole & Kent**
Contractors
*An EMCOR Company*

Poole & Kent Company of Florida
1701 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

October 7, 2009

Miami-Dade Water and Sewer Department
3071 SW 38th Avenue
Room #136
Miami, FL 33146

Attn: Isaac Smith, Manager Construction Contracts

Re: **South Miami Heights WTP RHSPS, Contract No. W-857(A) and South District WWTP Effluent Pump Station, Contract No. S-817(A)**

In response to your faxes of October 7, 2009, regarding S-817(A) and W-857(A), the legal name of our company is "Poole & Kent Company of Florida" as indicated on our corporate seal, and the certification from the State of Delaware, a copy of which is attached.

In investigating the issue, it appears that in 2004, when we first registered with the State of Florida, the forms were incorrectly filled out using the "and" instead of the "&". We will promptly notify the Florida Department of State to have the error corrected.

If you require any additional information, please feel free to contact me at your convenience.

Very truly yours,

POOLE & KENT COMPANY OF FLORIDA

Patrick H. Carr
Executive Vice President &
Chief Operating Officer

PHC/cm

attach.

# Delaware



*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "POOLE & KENT COMPANY OF FLORIDA", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF JUNE, A.D. 2004, AT 4:52 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3818963 8100

AUTHENTICATION: 3185449

040456945

DATE: 06-21-04

82

**Poole & Kent**
Contractors
*An EMCOR Company*

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

September 25, 2009

Miami Dade Water & Sewer Department
3071 SW 38th Avenue, Room #136
Miami, FL 33146

Attn: Mr. Isaac Smith, Manager Construction Contracts Section

Re: **South Miami Heights Water Treatment Plant**
**Reservoir and High Service Pump Station,**
**Contract No. W-857(A)**

**South District Wastewater Treatment Plant**
**Effluent Pump Station No. 2,**
**Contract No. S-817(A)**

Dear Mr. Smith,

Attached please find the consent letter extending the bid bonds until November 18, 2009 as requested.

Should you have any questions or comments, please feel free to contact me.

Very truly yours,

POOLE & KENT COMPANY OF FLORIDA

Steven C. Jordan
President & CEO

SCJ/cm

83

TRAVELERS

*Travelers Casualty and Surety Company of America*
*Construction Services, Travelers Bond & Financial Products*
*One Tower Square*
*Hartford, CT 06183*

(732) 321-5600
(866) 829-0409 (fax)

Rita Sagistano, Attorney-In-Fact
RFF & Associates, Inc.
1001 Franklin Ave., Suite 208
Garden City, NY 11530
(516) 414-8900

**September 24, 2009**

**MIAMI DADE WATER AND SEWER DEPARTMENT**
**3071 SW 38th Ave.**
**Miami, FL 33146**

**Re: PRINCIPAL: POOLE AND KENT COMPANY OF FLORIDA**

**PROJECT: South District Wastewater Treatment Plant Effluent Pump Station No. 2, Contract S-817(A) New Construction**

Gentlemen:

The undersigned, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, hereby Consents to the extension of the above bid bond through November 18, 2009

**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**

Rita Sagistano

**Rita Sagistano, Attorney-in-Fact**

Travelers is an A+ (Superior) A.M. Best rated insurance company (Financial Size Category XV ($2 billion or more)).

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

# POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 220626

Certificate No. 003133899

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas Bean, Rita Sagistano, Gerard S. Macholz, Susan Lupski, Robert T. Pearson, Camille Maitland, and George O. Brewster

of the City of Garden City, State of New York, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 17th day of November, 2008.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 17th day of November, 2008, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-4-09 Printed in U.S.A.

85

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
HARTFORD, CT. 06183

ATTORNEY-IN-FACT JUSTIFICATION
PRINCIPAL'S ACKNOWLEDGMENT — IF A CORPORATION

State of ~~New York~~ Florida, County of Miami-Dade } ss.

On this 25th day of September, 20 2009, before me personally appeared Steven C. Jordan to me known, who, being by me duly sworn, deposes and says: That he/she resides in the City of Miami (that he/she is the President & CEO of Poole & Kent Company of Florida the corporation described in and which executed the within instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

Steven C. Jordan

PRINCIPAL'S ACKNOWLEDGMENT — IF INDIVIDUAL OR FIRM

State of New York, County of } ss.

On this day of, 20, before me personally appeared to me known to be (the individual) (one of the firm of ) described in and who executed the within instrument, and he/she thereupon duly acknowledged to me that he/she executed the same (as the act and deed of said firm).

SURETY COMPANY'S ACKNOWLEDGMENT

State of New York, County of Nassau } ss.

On this 24th day of September, 20 09, before me personally appeared Rita Sagistano, to me known, who, being by me duly sworn, did depose and say: That he/she resides in ~~[illegible]~~ Nassau County, New York; that he/she is Attorney-in-Fact of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said Company; that the seal affixed to said instrument is such corporate seal; and that he/she signed said instrument as Attorney-in-Fact by authority of the Board of Directors of said Company; and affiant did further depose and say that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939, constituting chapter 28 of the Consolidating Laws of the State of New York as the Insurance Law as amended, issued to TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA his/her certificate that said Company is qualified to become and be accepted as surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that such certificate has not been revoked.

Notary Public

MELISSA HOWARD
Notary Public, State of New York
No. 01HO6173941
Qualified in Suffolk County
Term Expires September 4, 2011

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
Hartford, Connecticut 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2008
AS FILED WITH THE INSURANCE DEPT. OF THE STATE OF NEW YORK
CAPITAL STOCK $ 6,000,000

| ASSETS | | LIABILITIES | |
|---|---|---|---|
| Cash & Invested Cash | $ 146,779,723 | Unearned Premiums | $ 848,309,219 |
| Bonds | 3,452,929,381 | Losses | 822,955,804 |
| Stock | 7,666,626 | Loss Adjustment Expenses | 276,222,162 |
| Investment Income Due and Accrued | 46,660,631 | Commissions | 52,167,068 |
| Premium Balances | 303,662,195 | Taxes, Licenses and Fees | 43,371,400 |
| Reinsurance Recoverable | 12,426,353 | Other Expenses | 29,247,064 |
| Net Deferred Tax Asset | 40,073,233 | Current Federal and Foreign Income Taxes | 104,163,980 |
| Other Assets | 86,225,430 | Funds Held Under Reinsurance Treaties | 105,982,616 |
| | | Other Accrued Expenses and Liabilities | 80,894,170 |
| | | Total Liabilities | $ 2,361,313,681 |
| | | Capital Stock | $ 6,000,000 |
| | | Paid In Surplus | 303,297,402 |
| | | Other Surplus | 1,425,632,488 |
| | | Total Surplus to Policyholders | $ 1,734,929,890 |
| Total Assets | $ 4,096,243,572 | Total Liabilities & Surplus | $ 4,096,243,572 |

Securities carried at $6,069,064 in the above statement are deposited with public authorities, as required by law

86

# PRESCRIBED BID BOND

STATE OF FLORIDA )
)ss.:
COUNTY OF MIAMI-DADE )

KNOW ALL MEN BY THESE PRESENTS: That we, Poole and Kent Company of Florida 1781 NW North River Drive, Miami, FL 33125 (hereinafter called the "Principal") and Travelers Casualty and Surety Company of America, One Tower Square, Hartford, CT 06183 (hereinafter called the "Surety") are held and firmly bound unto Miami-Dade Water and Sewer Department of Miami-Dade County, Florida, (hereinafter called the "County"), in the penal sum of Five Percent of the Proposal Price Dollars and 00/100 Cents ($ 5% of the P.P. ) lawful money of the United States, which sum represents five percent (5%) of the Total Bid Price, and for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the Principal has submitted the attached bid, dated May 19th, 20 09, for:

**SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT**
**RESERVOIR AND HIGH SERVICE PUMP STATION**
**General Construction**
**CONTRACT NO. W-857**

NOW, THEREFORE, if the Principal shall not withdraw said Bid within one hundred twenty (120) days after date of opening of the bid, and shall within five (5) calendar days after the prescribed forms are presented to him for signature, enter into a written Contract with Miami-Dade County, Florida, in accordance with the Bid as accepted, and give a Performance and Payment Bond with good and sufficient surety or sureties and provide the necessary Insurance Certificates, as may be required, for the faithful performance and proper fulfillment of such Contract and for the prompt payment of all persons furnishing labor and materials in connection therewith, then the above obligation shall be void and of no effect; otherwise, to remain in full force and virtue, it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the amount of this obligation as herein stated.

The Surety, for value received, hereby agrees that its obligations hereunder shall in no way be impaired or affected by any extension of time within which said Miami-Dade County may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the above bounden parties have caused this Bond to be executed by their appropriate officials as of the 7th day of May, 20 09.

## PRESCRIBED BID BOND

WHEN THE CONTRACTOR IS A CORPORATION:

Poole and Kent Company of Florida
Name of Corporation

(Corporate Seal)

By: _____
Signature of Officer

Steven C. Jordan
Print or type name

President & CEO
Official Title

1781 N. W. North River Drive, Miami FL 33125
Address

305-325-1930
Telephone

ATTEST:

_____
Asst. Secretary

David W. McCluskey
Print or type name

---

WHEN THE BIDDER IS A JOINT VENTURE:

_____
Name of Joint Venture

By: _____

| | |
|---|---|
| Signature of Joint Venturer | Signature of Joint Venturer |
| Print or type name | Print or type name |
| Official Title | Official Title |
| | Address |
| | Telephone |

NOTE: Complete Joint Venture in accordance with Section 11 of the Instructions to Bidders.

## PRESCRIBED BID BOND

WHEN THE CONTRACTOR IS AN INDIVIDUAL:

WITNESSETH:

| | |
|---|---|
| _____ | By: _____ |
| Witness signature | Signature of Individual |
| _____ | _____ |
| Print or type name | Print or type name |
| | _____ |
| | Address |
| _____ | _____ |
| Witness signature | Address |
| _____ | _____ |
| Print or type name | Telephone |

ACKNOWLEDGMENT:

STATE OF _____)
)ss.:
COUNTY OF _____)

Before me personally appeared _____
to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____
executed said instrument for the purposes therein expressed.

**WITNESS my hand and official seal,** this _____ day of _____, 20___

(Seal)

| | |
|---|---|
| _____ | _____ |
| Notary Public | My Commission Expires: |

State of _____ at Large

## PRESCRIBED BID BOND

WHEN THE CONTRACTOR IS A SOLE PROPRIETORSHIP
OR OPERATES UNDER A TRADE NAME:

WITNESSETH:

_____
Name of Firm if applicable

By: _____

| | |
|---|---|
| _____ | _____ |
| Witness signature | Signature of Individual |
| _____ | _____ |
| Print or type name | Print or type name |
| | _____ |
| | Address |
| _____ | _____ |
| Witness signature | Address |
| _____ | _____ |
| Print or type name | Telephone |

ACKNOWLEDGMENT:

STATE OF _____)
)ss.:
COUNTY OF _____)

Before me personally appeared _____
to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____
executed said instrument for the purposes therein expressed.

**WITNESS my hand and official seal,** this _____ day of _____, 20___

(Seal)

| | |
|---|---|
| _____ | _____ |
| Notary Public | My Commission Expires: |

State of _____ at Large

## PRESCRIBED BID BOND

WHEN THE CONTRACTOR IS A PARTNERSHIP:

WITNESSETH:

_____
Name of Partnership

By: _____

| | |
|---|---|
| _____ | _____ |
| Witness signature | Signature of partner |
| _____ | _____ |
| Print or type name | Print or type name |
| | _____ |
| | Address |
| _____ | _____ |
| Witness signature | Address |
| _____ | _____ |
| Print or type name | Telephone |

ACKNOWLEDGMENT:

STATE OF _____)
)ss.:
COUNTY OF _____)

Before me personally appeared _____
as partner in the above named _____
partnership, to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

**WITNESS my hand and official seal,** this _____ day of _____ 20___

(Seal)

| | |
|---|---|
| _____ | _____ |
| Notary Public | My Commission Expires: |

State of _____ at Large

# PRESCRIBED BID BOND

SURETY:

Travelers Casualty and Surety Company of America
Printed name of Surety

(Corporate Seal)

One Tower Square
Address of Surety

Hartford, CT 06183
Address of Surety

By: Robert T. Pearson
Signature of Attorney-in-Fact*

Robert T. Pearson
Print or type name of Attorney-in-Fact

RFF & ASSOCIATES, INC.
1001 Franklin Avenue, Suite 208
Address

Garden City, NY 11530
Address

(516) 414-8900
Telephone

By: Peter F. Jones
Signature of Resident Florida Agent

Peter F. Jones
Print or type name of Agent

RFF & ASSOCIATES, INC.
7108 Fairway Drive, Suite 310
Address

Palm Beach Gardens, FL 33418
Address

(561) 799-3303
Telephone

* Power of Attorney must be attached.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

# POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

**Attorney-In Fact No.** 220626 **Certificate No.** 002843840

**KNOW ALL MEN BY THESE PRESENTS**: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas Bean, Rita Sagistano, Gerard S. Macholz, Susan Lupski, Robert T. Pearson, Camille Maitland, and George O. Brewster

of the City of Garden City, State of New York, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 17th day of November, 2008.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 17th day of November, 2008, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer

**In Witness Whereof,** I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

93

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

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

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

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

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

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which 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 7TH day of MAY, 20 09.

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

94

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
HARTFORD, CT. 06183

ATTORNEY-IN-FACT JUSTIFICATION
PRINCIPAL'S ACKNOWLEDGMENT — IF A CORPORATION

State of ~~New York~~ Florida, County of XXXXX Miami-Dade } ss.

On this 19th day of May, 20 09, before me personally appeared Steven C. Jordan to me known, who, being by me duly sworn, deposes and says: That he/she resides in the City of Miami that he/she is the President & CEO of Poole & Kent Company of Florida the corporation described in and which executed the within instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

Steven C. Jordan

PRINCIPAL'S ACKNOWLEDGMENT — IF INDIVIDUAL OR FIRM

State of New York, County of } ss.

On this day of, 20, before me personally appeared to me known to be (the individual) (one of the firm of ) described in and who executed the within instrument, and he/she thereupon duly acknowledged to me that he/she executed the same (as the act and deed of said firm).

SURETY COMPANY'S ACKNOWLEDGMENT

State of New York, County of Nassau } ss

On this 7th day of May, 20 09, before me personally appeared Robert T. Pearson to me known, who, being by me duly sworn, did depose and say: That he/she resides in the City of Nassau County, NY that he/she is Attorney-in-Fact of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said Company; that the seal affixed to said instrument is such corporate seal; and that he/she signed said instrument as Attorney-in-Fact by authority of the Board of Directors of said Company; and affiant did further depose and say that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939, constituting chapter 28 of the Consolidating Laws of the State of New York as the Insurance Law as amended issued to TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA his/her certificate that said Company is qualified to become and be accepted as surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that such certificate has not been revoked.

Notary Public

CAMILLE MAITLAND
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01MA6006044
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES APRIL 20, 2010

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
Hartford, Connecticut 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2008
AS FILED WITH THE INSURANCE DEPT. OF THE STATE OF NEW YORK
CAPITAL STOCK $ 6,000,000

| ASSETS | | LIABILITIES | |
|---|---|---|---|
| Cash & Invested Cash | $ 146,779,723 | Unearned Premiums | $ 846,309,219 |
| Bonds | 3,452,929,381 | Losses | 822,955,804 |
| Stock | 7,586,626 | Loss Adjustment Expenses | 276,222,162 |
| Investment Income Due and Accrued | 46,660,631 | Commissions | 52,167,066 |
| Premium Balances | 303,562,195 | Taxes, Licenses and Fees | 43,371,400 |
| Reinsurance Recoverable | 12,426,353 | Other Expenses | 29,247,064 |
| Net Deferred Tax Asset | 40,073,233 | Current Federal and Foreign Income Taxes | 104,163,980 |
| Other Assets | 86,225,430 | Funds Held Under Reinsurance Treaties | 105,982,816 |
| | | Other Accrued Expenses and Liabilities | 80,894,170 |
| | | Total Liabilities | $ 2,361,313,681 |
| | | Capital Stock | $ 6,000,000 |
| | | Paid In Surplus | 303,297,402 |
| | | Other Surplus | 1,425,632,488 |
| | | Total Surplus to Policyholders | $ 1,734,929,890 |
| Total Assets | $ 4,096,243,572 | Total Liabilities & Surplus | $ 4,096,243,572 |

Securities carried at $6,059,054 in the above statement are deposited with public authorities, as required by law