

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

MGM/ms 7-0
R-2023-0618

AGENDA ITEM SUMMARY

Meeting Date: May 2, 2023

Consent Regular
 Workshop Public Hearing

Submitted By: Department of Airports

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- (A) A contract (Contract) with Horsepower Electric, Inc. (Horsepower) in the amount of \$696,969 and 165 Calendar Days for the Advance Warning Signage project at Palm Beach International Airport (PBI); and
- (B) A Budget Transfer in the amount of \$696,969 in the Airport's Improvement and Development Fund.

Summary: This project consists of replacing the oversize vehicle warning system located prior to the PBI Terminal with a new more robust system. The project was advertised utilizing the County's competitive bid process and presented to the Goal Setting Committee on November 30, 2022. The Committee established an Affirmative Procurement Initiative (API) of price preference for Small Business Enterprise (SBE) contractors if their bid is within 10% of the lowest non-small business bid. On February 7, 2023, three (3) bids were received for this project and two (2) were determined to be responsive. The certified small business bidder submitting the lowest responsive, responsible bid was more than 10% of the lowest responsive bid. Horsepower located in Dade County has been identified as the lowest responsible/responsive bidder in the amount of \$696,969. The S/M/WBE participation for this contract is 0%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This Contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

Background and Policy Issues: The pedestrian walkways from the short term parking garage to the PBI Terminal are at an elevation that restricts vehicle heights to under 13-ft. This project will include sensors in three locations prior to the west pedestrian walkway. It will also include additional wayfinding signage to direct over-height vehicles to use the commercial access not restricted to under 13-ft. These improvements are needed to provide advance warning to avoid over-height vehicles from impacting the facility. Builder's Risk Insurance for this project will be provided by contractor prior to the start of construction.

Attachments:

- 1. Three (3) original contracts w/Horsepower
- 2. Bid Tabulation/Engineers and OEBO Compliance Form J
- 3. Budget Transfer

Recommended By: C. L. Louisa Burke 4.4.23
Department Director Date

Approved By: U. Baker 4/24/23
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$696,969				
Operating Costs					
External Revenues (Grants)					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$696,969				

ADDITIONAL FTE POSITIONS (Cumulative) _____

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

Budget Account No: Fund 4111 Department 121 Unit A453 Object 6504
 Reporting Category _____

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

Approval of this item provides budget for the Contract with Horsepower in the amount of \$696,969. Funding sources are Airport Local funds in the amount of \$696,969; including a transfer from Reserves of \$696,969.

C. Departmental Fiscal Review: *Debbie Dunne*
(D) 4/4/23

III. REVIEW COMMENTS

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

Lisa M. ... 4/6/2023
 OFMB 415 *EW* 4-5 2023

John S. ... 4/12/23
 Contract Dev. and Control
 TMA 4/12/23

B. Legal Sufficiency:

Anne Wilson 4/13/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 11/17

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)



**Palm Beach County
Compliance Summary Report**

Vendor Number	Vendor Name	AM Best Rating	Insurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00002213	Horsepower Electric, Inc.	Modified	Compliant					PB 22-16	Advance Warning Signage at PBJ
		A-9, IX	Imperium Insurance Company	CON-IC-CA-0000390-00	3/31/2023	3/31/2024	Auto Liability		
		A+, XIV	Landmark American Insurance Company	LHA098752	7/16/2022	7/16/2023	Excess Liability		
		A+, XV	Admiral Insurance Company	CA00003519804	7/16/2022	7/16/2023	General Liability		
		A+, X	Bridgefield Casualty Insurance Company	0830-83967	3/31/2023	3/31/2024	Workers Comp		

Risk Profile : Standard - General Services-AOA
Required Additional Insured : Palm Beach County Board of County Commissioners
Ownership Entity :

R2023 0618 MAY 02 2023

CONTRACT

THIS CONTRACT ("Contract") is made and entered into on May 2, 2023, between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the "County" or "Owner" and **Horsepower Electric, Inc.**, hereinafter referred to as the "CONTRACTOR".

WITNESSETH:

That the said Contractor having been awarded the contract for the:

**ADVANCE WARNING SIGNAGE
PROJECT NO. PB 22-16**

And in accordance with the Contract Documents and for the promises and mutual consideration specified herein, the Contractor hereby covenants and agrees to undertake and execute all of the Work awarded hereunder in a good and workmanlike manner and further agrees to furnish and pay for all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary to fully complete all Work in accordance with all requirements of the Contract Documents and in accordance with all applicable codes and governing regulations, within the time limit specified in the Bid Form.

The Contract is defined to mean and agreed to consist of this agreement, as may be amended, and the Contract Documents which consist of the following documents which are incorporated herein by reference:

- Approved Contract amendments, when executed;
- Completed Bid Form and Completed Attachments 1 through 6 dated February 7, 2023;
- Completed Bonds, Completed Guarantee and Certificates of Insurance dated _____;
- General Conditions dated December 2022;
- Special Conditions dated December 2022;
- The Invitation to Bid and Instructions to Bidders dated December 2022;
- Technical Specifications dated December 2022;
- Drawings (as identified by Index of Drawings) dated December 11, 2022;
- Addenda No. 1 dated: January 17, 2023.
- Addenda No. 2 dated: January 26, 2023.
- Addenda No. 3 dated: February 1, 2023.

Contractor agrees to accept as full compensation for the satisfactory performance of this Contract the sum of **Six Hundred Ninety Six Thousand Nine Hundred Sixty Nine and 00/100 Dollars (\$ 696,969.00), Total Bid Amount, Base Bid.** The prices named in the Bid are for the completed Work and all expense, direct or indirect, connected with the proper execution of the Work and of maintaining the same until it is accepted by the Board of County Commissioners. It is understood that the Contractor holds and will maintain current appropriate certification and/or license for the purpose of performing the specified Work pursuant to the Contract. The time limit for the Substantial Completion of all Work under the Contract shall be

as stated in the Bid Form. The date fixing the beginning of this period upon the calendar shall be established and stated in the Notice to Proceed.

The Governing Order of the Contract is agreed to be as follows: The Contract includes various divisions, sections and conditions which are essential parts for the Work to be provided by the Contractor. A requirement occurring in one is as binding as though occurring in all. They are intended to be complementary and to describe and provide for a complete Project. In case of discrepancy, the following precedence will govern the interpretation of the Contract Documents:

1. This Contract and any amendments to this Contract;
2. The Invitation to Bid and Instructions to Bidders;
3. Special Conditions;
4. General Conditions;
5. Insurance Certificates, Public Construction Bond and Guarantee
6. The Construction Documents
7. The Contractor's Completed Bid Form and Completed Attachments 1 through 6

In the event that any conflicts cannot be resolved by reference to this Governing Order of Contract Documents provision, then Owner shall resolve the conflict in any manner which is acceptable to Owner and which comports with the overall intent of the Contract.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Contract on behalf of the said County and caused the seal of the said County to be affixed hereto, and the Contractor has hereunto set its hand and seal the day and year written. The Contractor represents that it is authorized to do business in the State of Florida and to execute this contract on behalf of itself and its Surety.

R2023 0618 MAY 02 2023

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

ATTEST:
JOSEPH ABRUZZO, Clerk of the Circuit Court &
Comptroller



By: _____
Deputy Clerk

By: _____
Gregg Weiss, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Anne Helgent
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

Anna Bube
Director of Airports

CONTRACTOR

By: HORSEPOWER ELECTRIC
(Corporate Name)

By: _____
(signatory)

MICHAEL MARTINEZ
(print signatory's name)

Its' PRESIDENT.
(print title)

(Corporate Seal)

(witness signature)

Stephanie Crespo
(witness name printed)

(witness signature)

Risbel Castillo
(witness name printed)

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- ◆ Commercial Insurance Programs
- ◆ Contractors Insurance Programs
- ◆ Captive Insurance Programs
- ◆ OSHA Compliance
- ◆ Claims Management
- ◆ Loss Control
- ◆ Human Resources Consulting
- ◆ Construction Bonds
- ◆ Employee Group Benefits
- ◆ Personal Insurance

March 17, 2023

Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, Florida 33406-1470

**Re: Horsepower Electric, Inc.
8105 W. 20th Avenue
Hialeah, FL 33014
Task I-22-PBI-A-076 - Advance Warning Signage at PBI
Contract /Bond Amount: \$696,969.00
Bond No. EACX4004441**

To Whom It May Concern:

We are the Surety Advisors for Horsepower Electric Inc.'s Surety program handled by Endurance Assurance Corporation.

This letter will serve as written authorization granting Palm Beach County Department of Airports (Owner) to "date" the Surety Performance & Payment Bond and Power of Attorney issued by Endurance Assurance Corporation under Bond No. EACX4004441 for the above referenced contract.

Please feel free to contact me directly if we could be of any further assistance

Sincerely,

Roberto Menendez
Attorney-in-Fact
Roberto@furmaninsurance.com

RECEIVED
2023 MAR 23 AM 8:44
DEPT. OF AIRPORTS
BLDG. 846. PBI

PUBLIC CONSTRUCTION BOND

BOND NUMBER EACX4004441

BOND AMOUNT \$696,969.00

CONTRACT AMOUNT \$696,969.00

CONTRACTOR'S NAME: Horsepower Electric, Inc.

CONTRACTOR'S ADDRESS: 8105 W. 20th Avenue, Hialeah, Florida 33014

CONTRACTOR'S PHONE: 305-819-4060

SURETY COMPANY: Endurance Assurance Corporation

SURETY'S ADDRESS: 4 Manhattanville Road, 3rd Floor
Purchase, NY 10577

SURETY'S PHONE: 615-553-9500

OWNER'S NAME: PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

OWNER'S ADDRESS: c/o Palm Beach County Department of Airports
846 Palm Beach Department of Airports
West Palm Beach, FL 33406-1470

OWNER'S PHONE: (561) 471-7400

PROJECT NAME: Advance Warning Signage at Palm Beach International Airport

PROJECT NUMBER: PB 22-16

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

DESCRIPTION OF WORK: Installing Oversize Vehicle Warning Syste, and adding new wayfinding
signage

PROJECT ADDRESS, PCN, or LEGAL DESCRIPTION: _____

3200 Belvedere Road (PCN No. 00 43 43 31 01 001 0010)

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

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

as Obligee, herein called County, for the use and benefit of claimant as hereinbelow defined, in the amount of **Six Hundred Ninety Six Thousand Nine Hundred Sixty Nine and 00/100 Dollars (\$696,969.00), Total Bid Amount, Base Bid**, for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

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

Project Name: Advance Warning Signage

Project No.: PB 22-16

Project Description: Installing Oversize Vehicle Warning System and adding new wayfinding signage.

Project Location: Palm Beach International Airport
3200 Belvedere Road
West Palm Beach, Florida 33406

in accordance with Drawings and Specifications prepared by

AECOM Technical Services Inc.

7650 West Courtney Campbell Causeway, Tampa, Florida 33607

813-286-1711

which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract between Principal and County for the construction of Advance Warning Signage at Palm Beach International Airport, the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and
2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and

3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, that County sustains because of a default by Principal under the contract; and
4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.
5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.
6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.
7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the contract are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverages and limitations of this instrument.

Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.

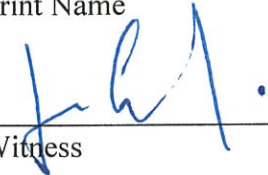
Any action brought under this instrument shall be brought in the court of competent jurisdiction in Palm Beach County and not elsewhere.

Dated: May 2, 2023


Witness

Lis Mondelo

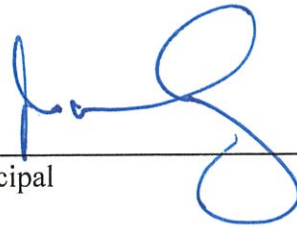
Print Name



Witness

Sulio Mondelo

Print Name



Principal

(Seal)

Michael Martinez, President (Horsepower Electric, Inc.)

Name and Title Printed



Surety

(Seal)

Roberto Menendez, Attorney-in-Fact (Endurance Assurance Corporation)

Name and Title Printed

Bond Must Contain Original Signatures. No Copies Will Be Accepted

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



POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS, that **Endurance Assurance Corporation**, a Delaware corporation, **Endurance American Insurance Company**, a Delaware corporation, **Lexon Insurance Company**, a Texas corporation, and/or **Bond Safeguard Insurance Company**, a South Dakota corporation, each, a "Company" and collectively, "**Sompo International**," do hereby constitute and appoint: **Dirk Douglas DeJong, Roberto Carlos Menendez, Tina Mangum** as true and lawful Attorney(s)-In-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of **Ten Million Dollars (\$10,000,000.00)**.

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15th day of June, 2019.

Endurance Assurance Corporation
By: *Richard M. Appel*
Richard Appel; SVP & Senior Counsel



Endurance American Insurance Company
By: *Richard M. Appel*
Richard Appel; SVP & Senior Counsel



Lexon Insurance Company
By: *Richard M. Appel*
Richard Appel; SVP & Senior Counsel



Bond Safeguard Insurance Company
By: *Richard M. Appel*
Richard Appel; SVP & Senior Counsel



ACKNOWLEDGEMENT

On this 15th day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: *Amy Taylor*
Amy Taylor, Notary Public - My Commission Expires 5/9/23



CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARRO, MARIANNE L. WILBERT

; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company."

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 2nd day of May, 2023.

By: *Daniel S. Lurie*
Daniel S. Lurie, Secretary

NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. **Please read this Notice carefully.**

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - <https://www.treasury.gov/resource-center/sanctions/SDN-List>.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: LexonClaimAdministration@sompo-intl.com

Telephone: 615-553-9500 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870

FORM OF GUARANTEE

GUARANTEE FOR (Contractor and Surety Name) HORSEPOWER ELECTRIC AND ENDURANCE ASSURANCE CORPORATION

We the undersigned hereby guarantee that the (ADVANCE WARNING SIGNAGE, PB 22-16) Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of our work, together with any work of others which may be damaged in so doing, that may prove to be defective in the workmanship or materials within a period of one year from the date of Substantial Completion of all of the above named work by the County of Palm Beach, State of Florida, without any expense whatsoever to said County of Palm Beach, ordinary wear and tear and unusual abuse or neglect excepted by the County. When correction work is started, it shall be carried through to completion.

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

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

SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY

HORSEPOWER ELECTRIC
(Contractor) (Seal)

By: [Signature]
(Contractor Signature)

MICHAEL MARTINEZ PRESIDENT
(Print Name and Title)

Endurance Assurance Corporation
(Surety) (Seal)

By: [Signature]
(Surety Signature)

Roberto Menendez, Attorney-in-Fact
(Print Name and Title)

Guarantee Must Contain Original Signatures. No Copies Will Be Accepted.

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Living Wage Certification

In accordance with the Palm Beach County Living Wage Ordinance, the undersigned does hereby declare that it will and its subcontractors will pay each employee a living wage.

Project Name: ADVANCE WARNING SIGNAGE AT PALM BEACH INT. AIRPORT

Project Number: PB 22-16

Contractor: HORSEPOWER ELECTRIC

Contractor Address: 8105 WEST 20 AVE HIALEAH FL 33014

Contractor Phone Number: 305 8194060

Contract Amount: 696,969.00

Contract for: (Brief Description of Services to be provided: ADVANCE WARNING SIGNAGE.

Statement of wage levels for Contractor's employees: PER PALM BEACH COUNTY LIVING WAGE ORDINANCE

By: 
(Signatory)

MICHAEL MARTINEZ
(Signatory name printed)

PRESIDENT
(Title)

3/21/23
(Date)

CORPORATE CERTIFICATE

PBC PROJECT NUMBER: PB 22-16

DATE: 3/21/23

The undersigned hereby certifies that the following are true and correct statements:

1. That he/she is the Secretary of HOSEPOWER ELECTRIC Corporation, a corporation organized and existing in good standing under the laws of the State of FLORIDA, hereinafter referred to as the "Corporation", and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Board of Directors of the Corporation as of the 6 day of MARCH, 2022 in accordance with the laws of the State of the State of Incorporation of the Corporation, the Articles of Incorporation and the By-laws of the Corporation:

RESOLVED, that the Corporation shall enter into that certain Agreement between Palm Beach County, a political subdivision of the State of Florida and the Corporation, a copy of which is attached hereto, and be it

FURTHER RESOLVED, that MICHAEL MARTINEZ the PRESIDENT of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement.

- 2. That the foregoing resolutions have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effect as of the date hereof.
- 3. That the Corporation is in good standing under the laws of the State of Florida or its State of Incorporation if other, and has qualified, if legally required, to do business in the State of Florida and has the full power and authority to enter into such Agreement.

IN WITNESS WHEREOF, the undersigned has set his hand and affixed the Corporate Seal of the Corporation the day of 21 MARCH, 2023.

[Signature]

(Signatory)

(CORPORATE SEAL)

LIS MONDELO

(Print Signatory's Name)
It's Secretary

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me by means of [] physical presence or [] online notarization, this 23 day of MARCH, 2023 by the Secretary of the aforesaid corporation, who is personally known to me OR who produced _____ as identification and who did (did not) take an oath.

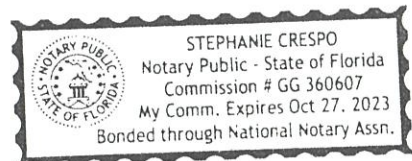
[Signature]

Notary Signature

Stephanie Crespo

Print Notary Name

NOTARY PUBLIC
State of Florida at Large
My Commission Expires:



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INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLLA Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLLA Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

PALM BEACH COUNTY
BOARD OF COUNTY
COMMISSIONERS
Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marc Woodward
Sara Baxter
Mack Bernard

Palm Beach

INTERNATIONAL AIRPORT

COUNTY ADMINISTRATOR
Verdenia C. Baker
DEPARTMENT OF AIRPORTS



Attachment No. 2

Based on the review by Palm Beach County Department of Airports
(Exhibits A & B), it is our intent to recommend the award of the
contract to **Horsepower Electric, Inc.** for the
below listed project:

(Posted)


2023.03.01 PBI

**Advance Warning Signage
Palm Beach International Airport
Palm Beach County Project No. PB 22-16
Department of Airports**

Total Bid Amount, Base Bid: \$696,969.00

2023.03.01 PBI

(Renewed)


Cynthia M. Portnoy, Deputy Director
Palm Beach County Department of Airports

Dated: March 1, 2023

(Page 1 of 6)

846 PALM BEACH INTERNATIONAL AIRPORT
West Palm Beach, Florida 33406-1470
(561) 471-7400 FAX (561) 471-7427 www.pbia.org

PALM BEACH COUNTY GLADES AIRPORT
Pahokee

PALM BEACH COUNTY PARK AIRPORT
Lantana

NORTH COUNTY GENERAL AVIATION AIRPORT
Palm Beach Gardens

An Equal Opportunity-Affirmative Action Employer

February 27, 2023

Exhibit A

Ms. Cynthia M. Portnoy, P.E.
Deputy Director of Planning & Development
Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, Florida 33406-1470

RE: PBC Project No. PB 22-16
PBI Advance Warning Signage
Palm Beach International Airport
Bid Tabulation and Contract Award Recommendation

Cindy:

AECOM Technical Services, Inc. (AECOM) has reviewed the submitted bids for the PB 22-16, PBI Advance Warning Signage Project (Project). The established deadline for submission of bids was on February 7, 2023. The Bid Opening was conducted on February 8, 2023, at 2:00 PM.

Three (3) bids were received from the following firms: AUM Construction, Inc., Elektrik Pros, and Horsepower Electric, Inc. The submitted Bid totals, along with the Engineer's Estimate, are presented in Table 1 below:

	Engineer's Estimate	AUM Construction, Inc.	Elektrik Pros	Horsepower Electric, Inc.
Base Bid (BB)	\$1,151,000.00	\$799,799.00	\$27,980.32	\$696,969.00
Local Business in Palm Beach County	✓	✓		

Table 1

AECOM's bid review indicated that AUM Construction, Inc. and Horsepower Electric, Inc. completed the Bid Form and provided all necessary attachments as required per the bid documents. These bid documents include Addenda acknowledgment, Bid Bond, List of Subcontractors/Self-performed trends, Trench Safety Affidavit, Certification of Business Location, and the E-Verify Certification. The EBO Program Schedules will be reviewed by the Palm Beach County Office of Equal Business Opportunity (OEBO). The bid submitted by Elektrik Pros did not include the Unit Price Bid Form or provide any necessary attachments as required per the bid documents and as such should be considered a non-responsive bid. AUM Construction, Inc. provided the Certification of Business Location (Attachment 5 to the Bid Form), that certifies they maintain a permanent office in Palm Beach County. No bidders identified as a Glades business.

AECOM's review of the bids also included verifying the accuracy of the Bids. AUM Construction, Inc. and Horsepower Electric, Inc. both submitted a bid that was mathematically correct. The bid submitted by Elektrik Pros was incomplete and not reviewed.

Based on the evaluation of the bidder's qualifications and the bids submitted, AECOM recommends that the PBC DOA award the Contract to the lowest responsive bidder, Horsepower Electric, Inc., contingent on the Palm Beach County OEBO/Legal review of the bid documents. The Bid Tabulation and the Bid Review Checklist for all bidders are attached.

If you have any questions, please feel free to contact me. We would be pleased to address any issues at your convenience.

Sincerely,
AECOM Technical Services, Inc.



Andrew Kacer, PE
VP

enclosures: Bid Tabulation
Bid Review Checklist

Palm Beach County - Department of Airports
Palm Beach County International Airport
PB 22-16 PBI Advance Warning Signage
Tabulation of Bids

For Bids Received February 7, 2023

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	Engineers Estimate		Horsepower Electric, Inc.		AUM Construction, Inc.		Electric Pros	
				UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
101-1	Mobilization	LS	1	\$ 70,000.00	\$ 70,000.00	\$ 25,000.00	\$ 25,000.00	\$ 100,000.00	\$ 100,000.00	\$ -	\$ -
102-1	Maintenance of Traffic	LS	1	\$ 70,000.00	\$ 70,000.00	\$ 50,000.00	\$ 50,000.00	\$ 100,000.00	\$ 100,000.00	\$ -	\$ -
NEW SIGNAGE											
101400-1	New Type A1 Sign Panel on Overhead Structure	EA	4	\$ 23,000.00	\$ 92,000.00	\$ 15,000.00	\$ 60,000.00	\$ 8,000.00	\$ 32,000.00	\$ -	\$ -
101400-2	New Type A2 Sign Panel on Overhead Structure	EA	6	\$ 19,000.00	\$ 114,000.00	\$ 14,000.00	\$ 84,000.00	\$ 8,000.00	\$ 48,000.00	\$ -	\$ -
101400-3	New Type A3 Sign Panel on Overhead Structure	EA	4	\$ 13,000.00	\$ 52,000.00	\$ 9,000.00	\$ 36,000.00	\$ 6,000.00	\$ 24,000.00	\$ -	\$ -
101400-4	New Type A4 Sign Panel on Overhead Structure	EA	3	\$ 8,500.00	\$ 25,500.00	\$ 4,000.00	\$ 12,000.00	\$ 4,000.00	\$ 12,000.00	\$ -	\$ -
101400-5	New Type A7 Sign Panel on Overhead Structure	EA	1	\$ 9,500.00	\$ 9,500.00	\$ 7,500.00	\$ 7,500.00	\$ 6,000.00	\$ 6,000.00	\$ -	\$ -
101400-6	New Type A8 Sign Panel on Overhead Structure	EA	1	\$ 7,500.00	\$ 7,500.00	\$ 4,500.00	\$ 4,500.00	\$ 2,000.00	\$ 2,000.00	\$ -	\$ -
101400-7	New Type A5 Ground Mounted Post & Panel Sign (Panel Only)	EA	1	\$ 9,500.00	\$ 9,500.00	\$ 11,000.00	\$ 11,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -
101400-8	New Type A6 Ground Mounted Post & Panel Sign (Post & Panel)	EA	3	\$ 1,500.00	\$ 4,500.00	\$ 4,500.00	\$ 13,500.00	\$ 4,000.00	\$ 12,000.00	\$ -	\$ -
101400-9	New Sign GM-05 Illuminated Message Post & Panel Sign (Post & Panel)	EA	1	\$ 28,000.00	\$ 28,000.00	\$ 44,000.00	\$ 44,000.00	\$ 80,000.00	\$ 80,000.00	\$ -	\$ -
SIGN REMOVAL											
101400-10	Remove Existing OH panels	EA	13	\$ 2,500.00	\$ 32,500.00	\$ 1,000.00	\$ 13,000.00	\$ 2,000.00	\$ 26,000.00	\$ -	\$ -
101400-11	Remove GM sign panels (large)	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 999.00	\$ 999.00	\$ -	\$ -
101400-12	Remove GM signs with posts (Large)	EA	1	\$ 2,500.00	\$ 2,500.00	\$ 1,800.00	\$ 1,800.00	\$ 900.00	\$ 900.00	\$ -	\$ -
101400-13	Remove GM sign panels (small)	EA	1	\$ 350.00	\$ 350.00	\$ 100.00	\$ 100.00	\$ 900.00	\$ 900.00	\$ -	\$ -
101400-14	Remove Existing Over Height Warning System	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -
OVERHEAD WARNING SYSTEM											
101453-1	Over Height Vehicle Warning System - Sensor 1	LS	1	\$ 107,000.00	\$ 107,000.00	\$ 95,000.00	\$ 95,000.00	\$ 110,000.00	\$ 110,000.00	\$ -	\$ -
101453-2	Over Height Vehicle Warning System - Sensor 2	LS	1	\$ 107,000.00	\$ 107,000.00	\$ 95,000.00	\$ 95,000.00	\$ 100,000.00	\$ 100,000.00	\$ -	\$ -
101453-3	Over Height Vehicle Warning System - Sensor 3	LS	1	\$ 125,000.00	\$ 125,000.00	\$ 95,000.00	\$ 95,000.00	\$ 120,000.00	\$ 120,000.00	\$ -	\$ -
ELECTRICAL											
26000-5.1	New Sign GM-05 Electrical Distribution and Grounding	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 45,069.00	\$ 45,069.00	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -
				TOTAL \$	872,350.00	TOTAL \$	696,969.00	TOTAL \$	799,799.00	TOTAL \$	27,980.32

Description	AUM Construction, Inc.	Electrik Pros	Horsepower Electric, Inc.
Bid Form (Pages BF-2 to BF-8)	✓		✓
Addendum No. 1 - First Page Signed	✓		✓
Addendum No. 2 - First Page Signed	✓		✓
Addendum No. 3 - First Page Signed	✓		✓
Bid Bond (Attachment No. 1)	✓		✓
OEBO Schedules (Attachment No. 2)	To be reviewed by the PBC OEBO		
List of Subcontractors/Self Performed Trades (Attachment No. 3)	✓		✓
Trench Safety Affidavit (Attachment No. 4)	✓		✓
Certification of Business Location (Attachment No. 5)	✓		✓
Certification of Business Location - Glades Subcontractor (Attachment No. 5a)	✓		✓
Unit Price Bid Form (Attachment No. 6)	✓		✓
E-Verification Certification (Attachment No. 7)	✓		✓

OEBO PARTICIPATION EVALUATION FORM

DATE SENT: 2/8/2023	PROJECT MANAGER: George Santos
PROJECT #: PB 22-16	PROJECT NAME: PBIA Advance Warning Signage
USER DEPARTMENT: Airports	USER DEPARTMENT CONTACT: MARY ULLERY
OEBO RECOMMENDED API: PRICE PREFERENCE	

EVALUATE INFORMATION, MAKE DETERMINATIONS, SIGN, DATE AND RETURN BY: February 10, 2023

KEY(S) FOR DETERMINATIONS:

- (1) YES
- (2) NO
- (3) NOT APPLICABLE

The solicitation listed above has been opened and requires your evaluation. Attached are copies of the OEBO Schedules, as applicable. When applicable, bidders who are deemed non-responsive to the OEBO Mandatory Minimum Goal(s) are non-responsive to the solicitation requirements.

Respondents with an * did not submit OEBO schedules.

RESPONDENTS	RESPONDENT IS A CERTIFIED S/M/WBE	RESPONDENT IS ELIGIBLE TO RECEIVE PREFERENCE	IF GOAL APPLIES, RESPONDENT IS RESPONSIVE TO SOLICITATION	PERCENTAGE OF S/M/WBE UTILIZATION
Horsepower Electric, Inc	(2)	(2)	(3)	%
Electrik Pros	(2)	(2)	(3)	%
AUM Construction, Inc.	(1)	(1)	(3)	100%
	()	()	()	%
	()	()	()	%

REMARKS:

Signature: _____

Title: Small Business Development Specialist II

Date: 2/14/2023

Manager Signature: 

February 14, 2023

23-0613

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

Advantage Document Numbers
BGRV:
BGEX: 121-040423*1170

FUND 4111 Airport Improvement & Development Fund

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED As of 04/04/23	REMAINING BALANCE
REVENUES/EXPENDITURES								
121-A453-6504	lotb Non Infrastructure	0	0	696,969	0	696,969	0	696,969
121-A900-9909	Reserves Improvement Program	30,976,327	21,746,850	0	696,969	21,049,881	0	21,049,881
Total Receipts and Balances		187,285,160	187,644,684	696,969	696,969	187,644,684		

Office of Financial Management & Budget
INITIATING DEPARTMENT/DIVISION

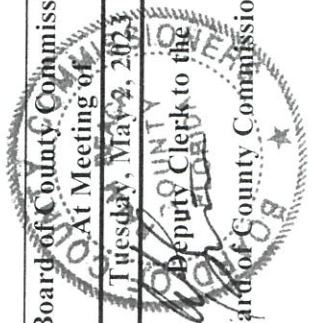
Administration/Budget Department Approval

OFMB Department - Posted

Signatures & Dates

Kenneth Lauch 4/4/23
June M... 4/6/2023

By Board of County Commissioners



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOSEPH ABRUZZO, Clerk of the Circuit Court &
Comptroller certify this to be a true and correct copy
of the original filed in my office
MAY 02 2023

on
dated at West Palm Beach, FL on MAY 04 2023
By: *[Signature]*

5A1. B