

AGENDA ITEM SUMMARY

Submitted By: Department of Airports

Motion and Title: Staff recommends motion to approve:

- (A) A contract with Hypower, Inc. (Hypower) in the amount of \$460,120 and 120 Calendar Days for the Hold Positions and Runway Guard Light System (RGLS) at Runway 10R-28L and Taxiway R1 at Palm Beach International Airport (PBI); and
- (B) A Budget Transfer in the amount of \$460,120 in the Airport's Improvement and Development Fund, including a transfer from Reserves of \$460,120.

Summary: This project was advertised utilizing the County's competitive bid process. On May 11, 2021, only one (1) bid was received for the Hold Positions and RGLS at Runway 10R-28L and Taxiway R1 at PBI. Hypower, a Broward County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$460,120. This project consists of runway hold position marking and signage improvements south of Runway 10R, at Taxiway R1, in an effort to enhance the visual cues for pilots operating on this surface of the airfield. A Disadvantaged Business Enterprise (DBE) goal of 16% was established for this project. Hypower has committed to meet the DBE goal of 16%. 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: This project will provide for the design and construction of improvements to the runway hold position marking and signage at the intersection of Taxiway Romeo and Taxilane Tango at the Runway 10R end at PBI. The project also includes the addition of elevated runway guard lights to enhance the visual cues at this location. This work is being completed to mitigate potential confusion at this intersection, while increasing the level of awareness for pilots. Builder's Risk Insurance is not required for this project.

1. Three (3) Original Contracts
2. Bid Tabulation/Engineers and DBE Recommendation
3. Budget Transfer

Approved By: _____
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Capital Expenditures	<u>\$ 460,120</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Operating Costs	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
External Revenues (Grants)	<u>(\$460,120)</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Program Income (County)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
In-Kind Match (County)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
NET FISCAL IMPACT	<u>\$ 0</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
# ADDITIONAL FTE	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
POSITIONS (Cumulative)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

Budget Account No.: Fund 4111 Department 121 Unit A435-479 Object 6504
Reporting Category

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

Approval of this item provides budget for the Hypower contract in the amount of \$460,120. Funding sources consist of Federal Aviation Administration grant funds of \$460,120. Funding is currently budgeted in FY 2021 Improvement and Development Fund Budget.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

OFMB

Contract Dev. and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 11/17

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

CONTRACT

THIS CONTRACT, made and entered on _____, between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as the "OWNER" and **HYPOWER, INC.**, hereinafter referred to as the "CONTRACTOR".

WITNESSETH:

That the said Contractor having been awarded the contract for:

**Hold Positions and RGLS at Runway 10R-28L and Taxiway R1
Palm Beach International Airport
PALM BEACH COUNTY PROJECT No. PB 21-6**

in accordance with the Bid therefore and for and in consideration of the promises and of the covenants and agreements, and of the payments herein specified, to be made and performed by the Contractor and the Owner, the Contractor hereby covenants and agrees to and with the Owner to undertake and execute all of the said named work, in a good, substantial and workmanlike manner, and to furnish all the materials and all the tools and labor necessary to properly perform and complete the work ready for use, in strict accordance with all the provisions of the Contract including the following documents described below which are made a part hereof and incorporated herein by reference:

- Invitation to Bid and Instructions to Bidders dated April 2021.
- Completed Bond, Surety and Insurance Forms, dated _____.
- Specifications, dated April 2021.
- General Provisions, dated April 2021.
- Special Provisions, dated April 2021.
- Addendum No. 1, dated April 13, 2021.
- Addendum No. 2, dated April 22, 2021.
- Drawings, dated April 2021.
- Completed Bid and Attachments, dated May 11, 2021.

and to accept as full compensation for the satisfactory performance of this Contract the sum of **Four Hundred Sixty Thousand One Hundred Twenty and 00/100 Dollars (\$460,120.00)**, Total Bid Amount (Base Bid Plus Additive Bid) for **Hold Positions and RGLS at Runway 10R-28L and Taxiway R1** at **Palm Beach International Airport**.

The prices named in the Bid are for the completed work, and include the furnishing of all materials and all labor, tools, and appliances 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.

Time is of the essence. The Contractor shall commence the work to be performed under this Contract on the date set by the Owner in the written notice to proceed, continue the work with due diligence and shall complete the entire work per Attachment No. 2 to the Bid Form. Further, in the event interim milestone completion dates are established in Attachment No. 2 of the Bid Form for separable portions of the work, the Contractor agrees to complete said separable portions of the work in accordance with said milestone dates.

In case of failure on the part of the Contractor to complete the work within the time(s) specified in the Contract, or within such additional time(s) as may be granted by formal action of the Board of County Commissioners or fails to prosecute the work, or any separable part thereof, with such diligence as will insure its completion within the time(s) specified in the Contract or any extensions thereof, Owner will suffer damage, the amount of which is difficult, if not impossible to ascertain. Therefore, the Contractor shall pay to the Owner, as liquidated damages, the amounts indicated in the Milestone and Damages Data (Attachment #2 of the Bid Form) for each calendar day of delay that actual completion extends beyond the time limits specified in said Attachment until such reasonable time as may be required for final completion of work. In no way shall costs for liquidated damages be construed as a penalty on the Contractor.

Liquidated damages due to the Owner may be deducted from payments due to the Contractor, or may be collected from the Contractor or its surety or sureties. These provisions for liquidated damages shall not prevent the Owner, in case of the Contractor's default, from terminating the Contractor's right to proceed as provided in General Provision section 80-09 "Default and Termination of Contract".

As provided in F.S. 287.132-133, by entering into this contract or performing any work in furtherance hereof, the contractor certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the Convicted Vendor List maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133 (3) (a).

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 his hand and seal the day and year written. The Contractor represents that it is authorized to execute this contract on behalf of itself and its Surety.

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

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

BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

Laura Burke
Director, Department of Airports

“CONTRACTOR”

Cynthia Best
(witness signature)

CYNTHIA BEST
(witness name printed)

[Signature]
(witness signature)

Douglas Valentine
(witness name printed)

By Hypower, Inc
(Corporate Name)

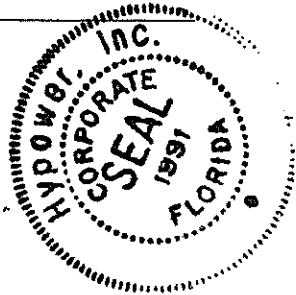
a Florida corporation
(insert state of corporation)

By: [Signature]
(signatory)

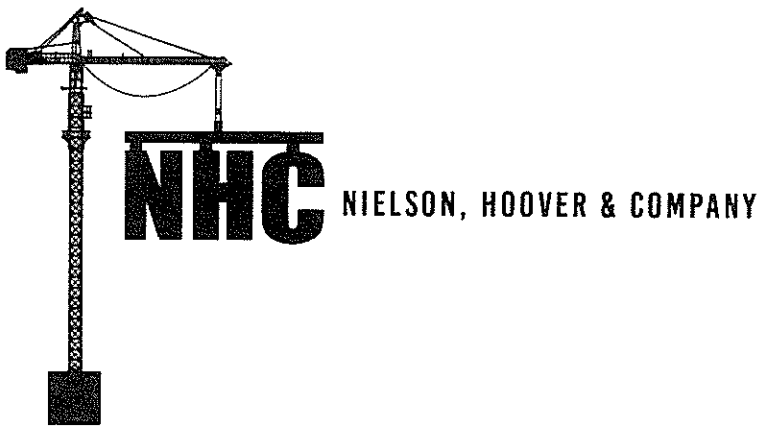
Bernard Paul-Hus
(print signatory’s name)

Its President
(print title)

(Corporate Seal)



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August 11, 2021

***Palm Beach County
c/o Department of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406-1470***

Re: **Hypower, Inc.**

Bond no. 47SUR300027010039

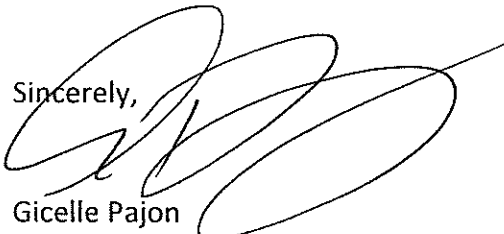
Project: Palm Beach International Airport – Hold Positions and RGLS at Runway 10R-28L

To Whom It May Concern;

Please allow this letter to serve as formal authorization for Palm Beach County c/o Department of Airports to date the captioned bonds and Power of Attorney to coincide with the Contract Date. We are also providing approval to enter the substantial completion date on the Form of Guarantee when available. Please advise our office once dated.

Thank you and if you have any questions or need additional information, please feel free to contact our office anytime.

Sincerely,



Gicelle Pajon
Contract Bond Specialist

15050 NW 79th Court

Suite 200

Miami Lakes, FL 33016

P: 305.722.2663

F: 305.558.9650

W: nielsonbonds.com

CONTRACT PERFORMANCE BOND

BOND NUMBER: 47SUR300027010039

BOND AMOUNT: \$460,120.00

CONTRACT AMOUNT: \$460,120.00

CONTRACTOR'S NAME: Hypower, Inc.

CONTRACTOR'S ADDRESS: 5913 Northwest 31st Avenue
Fort Lauderdale, FL 33309

CONTRACTOR'S PHONE: 888-978-9300

SURETY COMPANY: Berkshire Hathaway Specialty Insurance Company

SURETY'S ADDRESS: 1314 Douglas Street, Suite 1400
Omaha, NE 68102

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: c/o Department of Airports
846 Palm Beach International Airport
West Palm Beach, Florida 33406-1470

OWNER'S PHONE: (561) 471-7462

DESCRIPTION OF WORK: The work involves the relocation of the existing Hold Position marking and signs at Taxiway R1 and includes removal and installation of pavement markings, removal and installation of taxiway guidance signs, and installation of new runway guard lights, circuits and modification to the airfield lighting vault.

PROJECT LOCATION: Palm Beach International Airport
1000 James L Turnage Blvd.
West Palm Beach, Florida 33415

LEGAL DESCRIPTION: PCN 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 herein below defined, in the amount of **Four Hundred Sixty Thousand One Hundred Twenty and 00/100 Dollars (\$460,120.00) Total Bid Amount (Base Bid Plus Additive 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 dated _____, 20____, entered into a contract with the County for

Project Name: **Hold Position and RGLs at Runway 10R-28L and Taxiway R1**

Project No.: **PB 21-6**

Project Description: The work involves the relocation of the existing Hold Position marking and signs at Taxiway R1 and includes removal and installation of pavement markings, removal and installation of taxiway guidance signs, and installation of new runway guard lights, circuits and modification to the airfield lighting vault.

Project Location: Palm Beach International Airport
Palm Beach County, Florida

in accordance with Design Criteria prepared by

NAME OF ARCHITECTURAL FIRM: AECOM
LOCATION OF FIRM: 2090 Palm Beach Lakes Blvd., Suite 600
 West Palm Beach, FL 33409
PHONE: 561-684-3375
FAX: N/A

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

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated _____, 20__ between Principal and County for the construction of **Hold Positions and RGLS at Runway 10R-28L and Taxiway R1**, Contract No. **PB 21-6**, the contract being made a part of this bond by reference, in the time and in the manner prescribed in the Contract and;
2. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, the County sustains because of a default by Principal under the contract and;
3. 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.

Whenever Principal shall be, and declared by COUNTY to be in default under the Contract, the COUNTY having performed COUNTY's obligations thereunder, the Surety may promptly remedy the default or shall promptly:

1. Complete the Contract in accordance with its terms and conditions; or
2. Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by Surety of the lowest responsible bidder, or if the COUNTY elects, upon determination by the County and the Surety jointly of the lowest responsible bidder, arrange for a Contract between such bidder and COUNTY, and make available as the work progresses (even though there should be a default or a succession of defaults under the Contract or Contracts of completion arranged under this Paragraph) sufficient funds to pay the costs of completion, less the balance of the Contract price; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the Contract price" as used in this paragraph, shall mean the total amount payable by COUNTY to Principal under the Contract and any amendments thereto, less the amount properly paid by COUNTY to Principal.

Any changes in or under the Contract Documents and compliance or noncompliance with any formalities connected with the Contract or the changes does not affect Surety's obligation under this bond. Any increase in the total contract amount as authorized by the COUNTY shall accordingly increase the Surety's obligation by the same dollar amount of said increase. The Principal shall be responsible for notification to Surety of all such changes.

Surety expressly acknowledges its obligations and liabilities for liquidated damages suffered by COUNTY under the provisions of the Contract Documents.

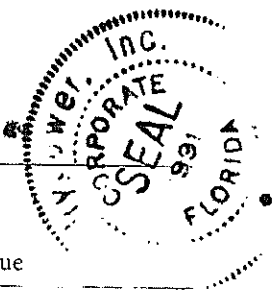
See subsection (2) of Section 255.05, Florida Statutes as amended for the notice and time limitations for claimants.

Cyrena Best
Witness for the Principal

PRINCIPAL: Hypower, Inc.
BERNARD PAUL HUS
By: (Print)
[Signature]
Signature
PRESIDENT
Title

(SEAL)

Address:
5913 Northwest 31st Avenue
Fort Lauderdale, FL 33309



[Signature]
Witness for the Surety
Gicelle Pajon

SURETY Berkshire Hathaway Specialty Insurance Company
By: (Print)
[Signature]
Signature
Charles J. Nielson, Attorney-in-fact
Title

Seal

Address
1314 Douglas Street, Suite 1400
Omaha, NE 68102

CONTRACT PAYMENT BOND

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BOND AMOUNT: \$460,120.00

CONTRACT AMOUNT: \$460,120.00

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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 herein below defined, in the amount of **Four Hundred Sixty Thousand One Hundred Twenty and 00/100 Dollars (\$460,120.00) Total Bid Amount (Base Bid Plus Additive 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 dated _____, 20____, entered into a contract with the County for

Project Name: **Hold Positions and RGLS at Runway 10R-28L and Taxiway R1**

Project No.: **PB 21-6**

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Palm Beach County, Florida

in accordance with Design Criteria prepared by

NAME OF ARCHITECTURAL FIRM: AECOM
LOCATION OF FIRM: 2090 Palm Beach Lakes Blvd., Suite 600
 West Palm Beach, FL 33409
PHONE: 561-684-3375
FAX: N/A

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. Promptly makes payment to all claimants as defined in Section 255.05(1), Florida Statutes supplying Principal with labor, materials and suppliers, used directly or indirectly by Principal in the prosecution of the work provided for in the Contract dated _____, 20____ between Principal and County for the construction of **Hold Positions and RGLS at Runway 10R-28L and Taxiway R1**, Contract No. **PB 21-6**, the Contract being made a part of this bond by reference, in the time and in the manner prescribed in the Contract, and:
2. Pays COUNTY all losses, damages, expenses, costs, and attorneys' fees, including appellate proceedings, the COUNTY sustains because of a default by Principal under the Contract.

Then this bond is void; otherwise it remains in full force.

Any changes in or under the Contract Documents and compliance or noncompliance with any formalities connected with the Contract or the changes does not affect Surety's obligation under this bond. Any increase in the total contract amount as authorized by the COUNTY shall accordingly increase the Surety's obligation by the same dollar amount of said increase. The Principal shall be responsible for notification to Surety of all such changes.

See Sections 255.05(2) and 255.05(10), Florida Statutes as amended for the notice and time limitations for claimants.

Gicelle Pajon
Witness for the Principal

PRINCIPAL: Hypower, Inc.

BERNARD PAUL HUS
By: (Print)

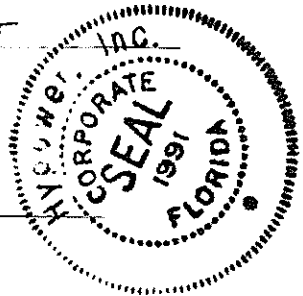
[Signature]
Signature

PRESIDENT
Title

(SEAL)

Address: 5913 Northwest 31st Avenue

Fort Lauderdale, FL 33309



[Signature]
Witness for the Surety
Gicelle Pajon

SURETY Berkshire Hathaway Specialty Insurance Company

[Signature]
By: (Print)

[Signature]
Signature

Charles J. Nielson, Attorney-in-fact
Title

Seal

Address 1314 Douglas Street, Suite 1400

Omaha, NE 68102

CORPORATE CERTIFICATE

PBC PROJECT NUMBER: PB 21-6

DATE: _____

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

1. That he/she is the Secretary of Hypower, Inc. 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 24th day of April, 2021 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

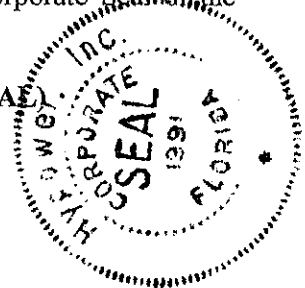
FURTHER RESOLVED, that Bernard Paul-Hus the President of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement.

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 13th day of August, 2021.

[Signature]
(Signatory)

(CORPORATE SEAL)



Kevin Worrell
(Print Signatory's Name)
It's Secretary

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me by means of [] physical presence or [] online notarization, this 16th day of August, 2021 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.

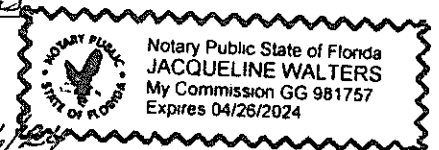
[Signature]
Notary Signature

Jacqueline Walters
Print Notary Name

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 04/26/24



Federal Front End Documents

Hold Positions and RGLS at Runway 10R-28L and Taxiway R1
Palm Beach International Airport

Contract Documents v 020121
April 2021

FORM OF GUARANTEE

GUARANTEE FOR Hypower, Inc.

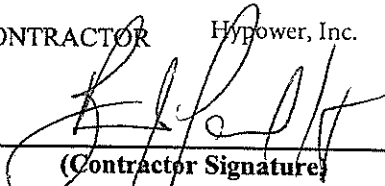
We, the undersigned, hereby guarantee that the **Hold Positions and RGLS at Runway 10R-28L and Taxiway R1 at Palm Beach International Airport**, Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of the work, together with any other adjacent work 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 issuance to us of the Notice of Substantial Completion 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.

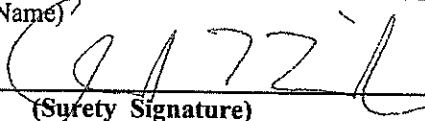
In the event of our failure to comply with the above-mentioned conditions within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand. When correction work is started, it shall be carried through to completion.

DATED _____
(Notice of Substantial Completion Date)

SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY

(Seal)

CONTRACTOR Hypower, Inc.
By: 
(Contractor Signature)
Bernard Paul-Hus, President
(Print Name and Title)

Berkshire Hathaway Specialty Insurance Company
(Surety Name)
By:  (Seal)
(Surety Signature)
Charles J. Nielson, Attorney-in-fact
(Print Name and Title)

**Guarantee Must Contain Original Signatures
No Copies will be accepted.**



Power Of Attorney

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY
NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY

Know all men by these presents, that **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at One Lincoln Street, 23rd Floor, Boston, Massachusetts 02111, **NATIONAL INDEMNITY COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at 3024 Harney Street, Omaha, Nebraska 68131 and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Connecticut and having an office at 100 First Stamford Place, Stamford, Connecticut 06902 (hereinafter collectively the "Companies"), pursuant to and by the authority granted as set forth herein, do hereby name, constitute and appoint: **Charles D. Nielson, Shawn Burton, David Hoover, Charles J. Nielson, Laura Mosholder, 15050 NW 79th Court, Suite 200, of the city of Miami Lakes, State of Florida**, their true and lawful attorney(s)-in-fact to make, execute, seal, acknowledge, and deliver, for and on their behalf as surety and as their act and deed, any and all undertakings, bonds, or other such writings obligatory in the nature thereof, in pursuance of these presents, the execution of which shall be as binding upon the Companies as if it has been duly signed and executed by their regularly elected officers in their own proper persons. This authority for the Attorney-in-Fact shall be limited to the execution of the attached bond(s) or other such writings obligatory in the nature thereof.

In witness whereof, this Power of Attorney has been subscribed by an authorized officer of the Companies, and the corporate seals of the Companies have been affixed hereto this date of December 20, 2018. This Power of Attorney is made and executed pursuant to and by authority of the Bylaws, Resolutions of the Board of Directors, and other Authorizations of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, which are in full force and effect, each reading as appears on the back page of this Power of Attorney, respectively. The following signature by an authorized officer of the Company may be a facsimile, which shall be deemed the equivalent of and constitute the written signature of such officer of the Company for all purposes regarding this Power of Attorney, including satisfaction of any signature requirements on any and all undertakings, bonds, or other such writings obligatory in the nature thereof, to which this Power of Attorney applies.

BERKSHIRE HATHAWAY SPECIALTY
INSURANCE COMPANY,

By:

David Fields, Executive Vice President



NATIONAL INDEMNITY COMPANY,
NATIONAL LIABILITY & FIRE INSURANCE COMPANY,

By:

David Fields, Vice President

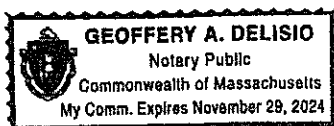


NOTARY

State of Massachusetts, County of Suffolk, ss:

On this 20th day of December, 2018, before me appeared David Fields, Executive Vice President of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY** and Vice President of **NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, who being duly sworn, says that his capacity is as designated above for such Companies; that he knows the corporate seals of the Companies; that the seals affixed to the foregoing instrument are such corporate seals; that they were affixed by order of the board of directors or other governing body of said Companies pursuant to its Bylaws, Resolutions and other Authorizations, and that he signed said instrument in that capacity of said Companies.

[Notary Seal]



Notary Public

I, Ralph Tortorella, the undersigned, Officer of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies which is in full force and effect and has not been revoked. IN TESTIMONY WHEREOF, see hereunto affixed the seals of said Companies this August 11, 2021.



Officer

To verify the authenticity of this Power of Attorney please contact us at: BHSI Surety Department, Berkshire Hathaway Specialty Insurance Company, One Lincoln Street, 23rd Floor, Boston, MA 02111 | (770) 625-2516 or by email at Jennifer.Porter@bhsispecialty.com THIS POWER OF ATTORNEY IS VOID IF ALTERED

To notify us of a claim please contact us on our 24-hour toll free number at (855) 453-9675, via email at claims@bhsispecialty.com, via fax to (617) 507-8259, or via mail.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: _____ Congressional District, if known: _____			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____		
6. Federal Department/Agency:			7. Federal Program Name/Description: CFDA Number, if applicable: _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ _____		
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI): "No Lobbying Activities"			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
(attach Continuation Sheet(s) SF-LLLA, if necessary)					
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned			13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____		
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____					
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: (attach Continuation Sheet(s) SF-LLLA, if necessary)					
15. Continuation Sheet(s) SF-LLLA attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the filer above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: <u>BERNARD PAUL-HUS</u> Title: <u>PRESIDENT</u> Telephone No.: <u>954-970-9300</u> Date: <u>8-13-2021</u>		
Federal Use Only:					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

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
Dave Kerner Mayor
Robert S. Weinroth, Vice Mayor
Maria G. Marino
Gregg K. Weiss
Maria Sachs
Melissa McKinlay
Mack Bernard

Palm Beach

INTERNATIONAL AIRPORT



COUNTY ADMINISTRATOR
Verdenia C. Baker
DEPARTMENT OF AIRPORTS

Attachment No. 2

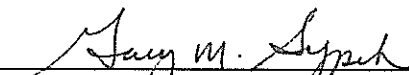
Based on the review by Palm Beach County Department of Airports
(Exhibits A & B), it is our intent to recommend the award of the
contract to **Hypower, Inc.** for the
below listed project:

(Posted)
RECEIVED
2021 JUN -1 AM 10:39
DEPT. OF AIRPORTS
BLDG. 846. PBIA

**Hold Positions and RGLS at Runway 10R-28L and Taxiway R1
Palm Beach International Airport
Palm Beach County Project No. PB 21-6
Department of Airports**

**Total Bid Amount, Base Bid: \$433,320.00
Total Bid Amount, Additive Bid: \$ 26,800.00
Total Bid Amount, Base Bid Plus Additive Bid: \$460,120.00**

(Removed)
RECEIVED
2021 JUN -8 PM 5:17
DEPT. OF AIRPORTS
BLDG. 846. PBIA



Gary M. Sypek, Deputy Director
Palm Beach County Department of Airports

Dated: June 1, 2021

(Page 1 of 6)

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



May 25, 2021

Exhibit "A"

Mr. Gary Sypek
Director of Planning
Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, Florida 33406-1470

RE: PBC Project No. PB 21-6
Hold Positions and RGLs at Runway 10R-28L and Taxiway R1
Palm Beach International Airport
Bid Tabulation and Contract Award Recommendation

Gary:

AECOM Technical Services, Inc. (AECOM) has reviewed the submitted bids for the referenced project. The established deadline for submission of bids was on May 11, 2021. The Bid Opening was conducted on May 11, 2021 at 2:00 PM.

One bid was received from Hypower, Inc. (Hypower). This project included a base bid and an additive alternate bid. The results for the Bid are arranged along with the Engineer's Estimate in Tables 1 and 2 below.

Table 1

BIDDER	BASE BID PRICE
Engineer's Estimate	\$389,245.00
Hypower, Inc.	\$433,320.00

Table 2

BIDDER	ADDITIVE ALTERNATE PRICE
Engineer's Estimate	\$16,675.00
Hypower, Inc.	\$26,800.00

Table 3

BIDDER	BASE PLUS ADDITIVE ALTERNATE PRICE
Engineer's Estimate	\$405,920.00
Hypower, Inc.	\$460,120.00

AECOM's review of the bid indicated that Hypower submitted a responsive bid and has provided all supporting documentation required per the bid documents. AECOM's review of the bid calculations indicated the bid was accurately submitted. The Bid Tabulation analysis and the Bid Review Checklist are attached.

Hypower has experience as a prime contractor for airfield projects, having performed work for the Palm Beach County Department of Airports (DOA) within the past five (5) years.



It is AECOM's understanding that the DOA intends on awarding the base plus additive alternate bid. Based on AECOM's evaluation of the base plus additive alternate bid; qualifications, experience and the bid obtained, it is our recommendation that the DOA award the PB 21-6, Hold Positions and RGLs at Runway 10R-28L and Taxiway R1 construction contract to the responsible/responsive bidder, Hypower, Inc., contingent on the DOA's legal and DBE review of the bid documents.

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

Sincerely,
AECOM Technical Services, Inc.

A handwritten signature in black ink, appearing to read "Andrew Kacer".

Andrew Kacer, PE
VP

enclosures: Bid Tabulation
Bid Review Checklist


L:\Legacy\USTPA3FP001\Data\Projects\Aviation\PBIA2018\LEVEL III TASKS\Task III\60655453 Task III-PBI-A-058 RW 10R hold bar and RGL\400-Technical\471- Bid and Award\Bid Analysis\PB 21-6 Bid Analysis.docx

PALM BEACH COUNTY - DEPARTMENT OF AIRPORTS							
PALM BEACH INTERNATIONAL AIRPORT							
PB 21-6 HOLD POSITIONS AND RGLS AT RUNWAY 10R-28L AND TAXIWAY R1							
BID TABULATION - BIDS OPENED 5/11/2021							
				Engineer's Estimate		Hypower Inc.	
ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
BASE BID							
C-105-1	MOBILIZATION - (MAXIMUM 10% OF BID PRICE)	LS	1	\$35,000.00	\$35,000.00	\$42,000.00	\$42,000.00
C-102-5.1	TEMPORARY EROSION AND POLLUTION CONTROL	LS	1	\$15,000.00	\$15,000.00	\$46,000.00	\$46,000.00
01030-1	MAINTENANCE OF AIR OPERATION AREA TRAFFIC	LS	1	\$40,000.00	\$40,000.00	\$36,000.00	\$36,000.00
01030-2	PORTABLE LIGHTED RUNWAY CLOSURE MARKERS	LS	1	\$7,500.00	\$7,500.00	\$17,000.00	\$17,000.00
P-101-5.1	COLD MILLING, 2 INCH DEPTH	SY	745	\$20.00	\$14,900.00	\$17.00	\$12,665.00
P-101-8.1	ASPHALT SURFACE COURSE	TON	90	\$300.00	\$27,000.00	\$330.00	\$29,700.00
P-620-5.1	RUNWAY AND TAXIWAY PAINT WITH REFLECTIVE MEDIA	SF	1200	\$10.00	\$12,000.00	\$8.00	\$9,600.00
P-620-5.2	RUNWAY AND TAXIWAY PAINT WITHOUT REFLECTIVE MEDIA	SF	1385	\$6.00	\$8,310.00	\$7.00	\$9,695.00
P-620-5.3	TEMPORARY PAVEMENT MARKINGS	SF	85	\$6.00	\$510.00	\$6.00	\$510.00
P-620-5.4	PAVEMENT MARKING REMOVAL	SF	1950	\$11.00	\$21,450.00	\$6.50	\$12,675.00
L-108-5.1	HAND EXCAVATE MINIMUM 8" WIDE X 28" DEEP IN EARTH	LF	25	\$35.00	\$875.00	\$5.00	\$125.00
L-108-5.2	3/4" X 20' GROUND RODS CONNECTED TO COUNTERPOISE	EA	7	\$250.00	\$1,750.00	\$300.00	\$2,100.00
L-108-5.3	ADDITIONAL 10' GROUND ROD SECTIONS	EA	7	\$125.00	\$875.00	\$100.00	\$700.00
L-108-5.4	#6 BARE SOLID AWG COUNTERPOISE CONDUCTOR INSTALLED OVER CONDUIT SYSTEM	LF	3500	\$1.50	\$5,250.00	\$1.25	\$4,375.00
L-108-5.5	#8, 5KV, L-824 CONDUCTOR INSTALLED IN NEW AND EXISTING CONDUIT/DUCTBANK SYSTEM	LF	11500	\$2.25	\$25,875.00	\$2.00	\$23,000.00
L-109-5.1	REMOVAL OF EXISTING REGULATOR, COMPLETE	EA	1	\$1,500.00	\$1,500.00	\$2,800.00	\$2,800.00
L-109-5.2	PROVIDE AND INSTALL NEW L-828, 4KW FERRORESONANT, 208V, 3 STEP REGULATOR WITH 120V CONTROL VOLTAGE, COMPLETE	EA	1	\$20,000.00	\$20,000.00	\$18,000.00	\$18,000.00
L-109-5.3	MODIFY EXISTING ELECTRICAL SYSTEMS IN THE AIRFIELD ELECTRICAL VAULT AND INSTALLATION OF ALLOWANCE ACCOUNT ALCMS EQUIPMENT, COMPLETE	LS	1	\$5,000.00	\$5,000.00	\$24,000.00	\$24,000.00
L-109-5.4	ALLOWANCE ACCOUNT: MODIFY EXISTING AIRFIELD LIGHTING CONTROL AND MONITORING SYSTEM (ALCMS),	AL	1	\$27,000.00	\$27,000.00	\$27,000.00	\$27,000.00
L-110-5.1	ONE 2" SCHEDULE 40 PVC CONDUIT NON-ENCASED DIRECT BURIED AND INSTALLED IN EARTH, 24-INCH MINIMUM COVER, COMPLETE IN PLACE	LF	1000	\$12.00	\$12,000.00	\$8.00	\$8,000.00
L-110-5.2	ONE 2" SCHEDULE 40 PVC CONDUIT CONCRETE ENCASED AND INSTALLED IN EXISTING FULL STRENGTH PAVEMENT, 24-INCH MINIMUM COVER, COMPLETE IN PLACE	LF	75	\$32.00	\$2,400.00	\$21.00	\$1,575.00
L-110-5.3	ONE 2" HDPE CONDUIT DIRECTIONAL BORED 48" DEEP BENEATH EXISTING FULL STRENGTH AND SHOULDER PAVEMENTS COMPLETE IN PLACE	LF	400	\$35.00	\$14,000.00	\$19.00	\$7,600.00
L-115-5.1	L-867 16" DIAMETER JUNCTION CAN WITH COVER INSTALLED IN EARTH	EA	3	\$2,000.00	\$6,000.00	\$2,500.00	\$7,500.00
L-115-5.2	INTERCEPT EXISTING LIGHT BASE CAN IN EARTH EXISTING PAVEMENT AND CONNECT TO CONDUIT SYSTEM	EA	7	\$350.00	\$2,450.00	\$400.00	\$2,800.00
L-115-5.3	INTERCEPT AND CORE DRILL EXISTING MANHOLE IN EARTH AND CONNECT TO CONDUIT SYSTEM	EA	1	\$500.00	\$500.00	\$300.00	\$300.00
L-125-5.1	NEW L-804(L), LED ELEVATED RUNWAY GUARD LIGHT AND NEW BASE CAN INSTALLED IN EXISTING PAVEMENT	EA	2	\$9,000.00	\$18,000.00	\$7,000.00	\$14,000.00
L-125-5.2	NEW L-558, SIZE 2, 9-10 CHARACTERS LED GUIDANCE SIGN AND CONCRETE BASE INSTALLED IN EARTH	EA	1	\$14,000.00	\$14,000.00	\$19,000.00	\$19,000.00
L-125-5.3	NEW L-558, SIZE 2, 9-10 CHARACTERS LED GUIDANCE SIGN AND CONCRETE BASE INSTALLED IN EXISTING PAVEMENT	EA	1	\$14,500.00	\$14,500.00	\$21,000.00	\$21,000.00
L-125-5.5	REMOVAL OF EXISTING GUIDANCE SIGN AND CONCRETE BASE IN EARTH EXISTING PAVEMENT, COMPLETE	EA	4	\$1,500.00	\$6,000.00	\$2,000.00	\$8,000.00
L-125-5.6	INTERCEPT EXISTING CIRCUIT CONDUCTORS IN EXISTING BASE CAN MANHOLE JUNCTION CAN AND EXTEND CIRCUITS ACCORDINGLY	EA	4	\$150.00	\$600.00	\$150.00	\$600.00
L-125-5.7	IDENTIFICATION OF CABLES, DUCTBANKS AND LIGHTING FIXTURES PER FAA SPECIFICATIONS	LS	1	\$5,000.00	\$5,000.00	\$9,000.00	\$9,000.00
TOTAL BASE BID					\$389,245.00		\$433,320.00
ADDITIVE ALTERNATE							
C-105-1	MOBILIZATION	LS	1	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00
01030-1	MAINTENANCE OF AIR OPERATION AREA TRAFFIC	LS	1	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00
L-108-5.5	#8, 5KV, L-824 CONDUCTOR INSTALLED IN NEW AND EXISTING CONDUIT/DUCTBANK SYSTEM	LF	300	\$2.25	\$675.00	\$2.00	\$600.00
L-110-5.4	INTERCEPT EXISTING CONDUIT SYSTEM AND CONNECT TO NEW CONDUIT SYSTEM	EA	2	\$200.00	\$400.00	\$50.00	\$100.00
L-125-5.4	NEW CONCRETE BASE INSTALLED IN EARTH FOR AN OWNER FURNISHED ADB SIZE 2, 4 MODULE L-858(L), LED, AIRFIELD GUIDANCE SIGN	EA	2	\$4,000.00	\$8,000.00	\$8,500.00	\$17,000.00
L-125-5.5	REMOVAL OF EXISTING GUIDANCE SIGN AND CONCRETE BASE IN EARTH EXISTING PAVEMENT, COMPLETE	EA	2	\$1,500.00	\$3,000.00	\$2,000.00	\$4,000.00
L-125-5.6	INTERCEPT EXISTING CIRCUIT CONDUCTORS IN EXISTING BASE CAN MANHOLE JUNCTION CAN AND EXTEND CIRCUITS ACCORDINGLY	EA	4	\$150.00	\$600.00	\$150.00	\$600.00
TOTAL ADDITIVE ALTERNATE BID					\$16,675.00		\$26,800.00
TOTAL BASE BID PLUS ADDITIVE ALTERNATE BID					\$405,920.00		\$460,120.00

Description	Hypower Inc.
Addendum No. 1 Acknowledgment	✓
Addendum No. 2 Acknowledgment	✓
Addendum No. 3 Acknowledgment	NA
Bid Form (Pages BF-3 and BF-4)	✓
Bid Price Form (Page BF-4.1R)	✓
Milestone and Damages Data (Attachment No. 2)	✓
Designation of Subcontractors (Attachment No. 3)	✓
Prime Contractor Work (Attachment No. 4)	✓
Prime Contractor Participation (Goal = 25%)	✓
Bid Bond (Attachment No. 5)	✓
Surety (Part of Attachment No. 5)	✓
Partnership Certificate (Attachment No. 6a)	Attached, N/A
Limited Liability Company Certificate (Attachment No. 6b)	Attached, N/A
Statement of Participation in Contracts subject to Non-Discrimination Clause (Attachment No. 7)	✓
Schedule 1 - List of Proposed DBE Firms (Attachment No. 8)	These Sections will be reviewed by the Palm Beach Department of Airports.
Schedule 2 Letter of Intent to Perform as a DBE Subcontractor (Attachment No.9)	
Schedule 3 Demonstration of Good Faith Effort to Achieve DBE Goal (Attachment No. 10)	
DBE Participation (Goal = 16%)	
Schedule 6 Bidder and Subcontractor Information (Attachment No. 11)	✓
Notice to of Requirement for Certification of Non-Segregated Facilities (Attachment No. 12)	✓
Trench Safety Certificate (Attachment No. 13)	✓
Buy American Certificate (Attachment No. 14)	✓
Certificate Regarding Foreign Participation (Attachment No. 15)	✓
Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion (Attachment No. 16)	✓
Form of Noncollusion Affidavit (Attachment No. 17)	✓
Bidder Qualification Questionnaire (Attachment No. 18)	✓
E-Verification Certification (Attachment No. 19)	✓
Safety Plan Compliance Document (SPCD) Certification (Attachment No. 20)	✓

Exhibit "B"

INTEROFFICE MEMORANDUM
DEPARTMENT OF AIRPORTS

TO: Gary Sypek, Deputy Director, Planning & Development/Community Affairs
FROM: Martha LaVerghetta, Director, Airports Compliance 
DATE: May 18, 2021
RE: Invitation to Bid for Hold Positions and RGLS at RW 10R-28L, TW R1 @ PBI
Project No. PB 21-6

I have reviewed the singular proposal submitted in response to the Invitation to Bid, PB 21-6, Hold Positions and RGLS at RW 10R-28L and TW R1 at PBI. The proposer, Hypower Inc., has indicated their commitment to meet the DBE goal of 16% on this Project.

Should you need any further information, please let me know.

SCHEDULE 1 LIST OF PROPOSED DBE FIRMS (Attachment No. 8 To The Bid Form)

Project/Bid Name: Hold Positions and RGLS at Runway 10R-28L and Taxiway R1

Project Bid No: PB 21-6

Name of Prime Bidder: Hypower Inc.

Change Order/Task/Amendment No (If Applicable):

Contact Person: James D. Zerby

Bid Opening Date: May 11, 2021

Address: 5913 NW 31 Avenue, Fort Lauderdale, Florida 33027

Department: AIRPORTS

Phone No.: 954-917-1411

Fax No: 954-978-8666

E-mail Address: jzerby@hypowerinc.com

Name, Address & Phone No. of DBE Firm	Description of Type of Work	Classification (Check applicable box)	Dollar Amount			
			Black	Hispanic	Women	Other (Please Specify)
Caribbean Technical Services, Inc. 14900 SW 30 Street, #277751 Miramar, Florida 33027	Supplier of conduits, wires, airfield lighting materials; Pre-construction services and project management	<input type="checkbox"/> Prime Contractor <input type="checkbox"/> Subcontractor <input checked="" type="checkbox"/> Supplier <input type="checkbox"/> Manufacturer	\$	\$ 25,005.59	\$	\$
Roberts Traffic Marking 2210 Hayes Street Hollywood, Florida 33020	Pavement Markings	<input type="checkbox"/> Prime Contractor <input checked="" type="checkbox"/> Subcontractor <input type="checkbox"/> Supplier <input type="checkbox"/> Manufacturer	\$	\$	\$ 34,853.00	\$
Caribbean Technical Services, Inc. 14900 SW 30 Street, #277751 Miramar, Florida 33027	Supplier of conduits, wires, airfield lighting materials; Pre-construction services and project management	<input type="checkbox"/> Prime Contractor <input checked="" type="checkbox"/> Subcontractor <input type="checkbox"/> Supplier <input type="checkbox"/> Manufacturer	\$	\$ 12,000.00	\$	\$
		<input type="checkbox"/> Prime Contractor <input type="checkbox"/> Subcontractor <input type="checkbox"/> Supplier <input type="checkbox"/> Manufacturer	\$	\$	\$	\$

*Additional sheets may be used if necessary.

Total Value of DBE Participation \$ 71,858.59

Notes:

- The amounts listed on this form for each DBE Firm must be supported by the price or percentage included on Schedule 2, "Letter of Intent to Perform as a Disadvantaged Business Enterprise", in order to be counted toward attainment of the DBE goal.
- Firms identified on this form must be certified as a DBE by the State of Florida's Unified Certification Program.
- If materials or supplies are proposed to be purchased from a DBE regular dealer, sixty percent (60%) of the proposed expenditure is counted toward attainment of the DBE goal. Reduce dollar amount to 60% of supplier's quote for purposes of determining value of DBE participation. Amounts listed on schedule 2 should reflect full expenditure (i.e. do not reduce supplier's quote).

By signing this form the undersigned Prime Bidder is committing to utilize the above referenced DBE firms on the Project and that the Prime Bidder will monitor the DBE Firms to ensure that the work is actually performed by the DBE Firms

By:  Signature

James D. Zerby, Vice President

Print Name/Title of Person Executing on Behalf of the Prime

Date: May 11, 2021

SCHEDULE 2 LETTER OF INTENT TO PERFORM AS A DBE SUBCONTRACTOR
(Attachment No. 9 To The Bid Form)

Project/Bid No: PB 21-6 Project/Bid Name: Hold Positions and RGLS at Runway 10R-28L and Taxiway R1

Change Order/Task /Amendment No. (if applicable): _____

Name of Prime Bidder: Hypower Inc.

Name of DBE Firm: Caribbean Technical Services, Inc.

The undersigned is certified as a Disadvantaged Business Enterprise by Palm Beach County or the State of Florida's Unified Certification Program. Check one or more classifications as applicable:

- ☐ Black
- ☒ Hispanic
- ☐ Women
- ☐ Other (Please Specify) _____
- ☐ Prime Contractor
- ☒ Subcontractor
- ☐ Manufacturer
- ☒ Supplier

The undersigned is prepared to perform the following described work in connection with the above-referenced project (specify in detail the particular work and/or parts thereof to be performed):

Additional Sheets may be used as necessary.

Line Item/Lot No.	Item Description	Qty/Units	Unit Price	Total Price
	Electrical & Lighting Materials;	1/LS	\$ 25,005.59	\$ 25,005.59
	Pre-Construction and Project	1/LS	\$ 12,000.00	\$ 12,000.00
	Management		\$	\$
			\$	\$

at the following price¹ Thirty Seven Thousand, Five Dollars and 59/100
(Subcontractor/Supplier's Quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If the undersigned intends to subcontract any portion of the work described above to another subcontractor, please complete the following:

(Name of Subcontractor)

\$ _____
(Amount of Subcontract)

☐ DBE Certified

(Name of Subcontractor)

\$ _____
(Amount of Subcontract)

☐ Non-DBE

(Name of Subcontractor)

\$ _____
(Amount of Subcontract)

☐ DBE Certified

(Name of Subcontractor)

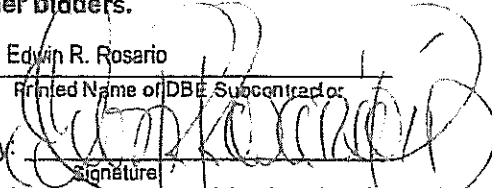
\$ _____
(Amount of Subcontract)

☐ Non-DBE

The undersigned affirms that it has the resources necessary to perform the work described above without subcontracting the work to another subcontractor, except as noted above. The undersigned subcontractor/supplier understands that the provision of this form to the Prime Bidder does not prevent the subcontractor from providing quotations to other bidders.

Edwin R. Rosario

Printed Name of DBE Subcontractor

By: 

Signature

¹ Do not reduce supplier's quote on this Schedule. Adjustments for purposes of determining the value of a supplier's participation should be reflected on Schedule 1 only. See "Note 3" on Schedule 1. Amounts for materials and supplies should be broken out in the table above.
Schedule 2 (v.07-03-13)

CARIBBEAN TECHNICAL SERVICES

Number of Records Returned: 1
Selection Criteria:
Vendor : CARIBBEAN TECHNICAL SERVICES INC

Vendor Name: CARIBBEAN TECHNICAL SERVICES INC
DBE Certification: CERTIFIED MBE Certification: Certified
DBA: Former Name:
Business Description: ELECTRICAL ENGINEERING PROJECT MANAGEMENT ELECTRICAL ESTIMATING
Mailing AddressJ: 14900 SW 30 STREET
#277751
MIRAMAR, FL 33027-
Contact Name: EDWIN ROSARIO Phone: Fax:
Email: ACDBE Status: N
Statewide Availability: Y

Certified NAICS	
221114	Solar Electric Power Generation
238210	Electrical Contractors and Other Wiring Installation Contractors
238990	All Other Specialty Trade Contractors
425120	Wholesale Trade Agents and Brokers
444190	Other Building Material Dealers
541330	Engineering Services

SCHEDULE 2 LETTER OF INTENT TO PERFORM AS A DBE SUBCONTRACTOR
(Attachment No. 9 To The Bid Form)

Project/Bid No: PB 21-6 Project/Bid Name: Hold Positions and RGLS at Runway 10R-28L and Taxiway R1

Change Order/Task /Amendment No. (if applicable):

Name of Prime Bidder: Hypower, Inc.

Name of DBE Firm: ROBERTS TRAFFIC MARKING CORP.

The undersigned is certified as a Disadvantaged Business Enterprise by Palm Beach County or the State of Florida's Unified Certification Program. Check one or more classifications as applicable:

- Black, Hispanic, Women, Other (Please Specify) DBE/MBE, Prime Contractor, Subcontractor, Manufacturer, Supplier

The undersigned is prepared to perform the following described work in connection with the above-referenced project (specify in detail the particular work and/or parts thereof to be performed):

Additional Sheets may be used as necessary.

Table with 5 columns: Line Item/Lot No., Item Description, Qty/Units, Unit Price, Total Price. Rows include Mobilization + stencils, Taxiway Paint Reflective, Taxiway Paint without, Temporary Pavement Markings, and Marking Removal.

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County. If the undersigned intends to subcontract any portion of the work described above to another subcontractor, please complete the following:

Form with fields for Subcontractor Name, Amount of Subcontract, and checkboxes for DBE Certified/Non-DBE.

The undersigned affirms that it has the resources necessary to perform the work described above without subcontracting the work to another subcontractor, except as noted above. The undersigned subcontractor/supplier understands that the provision of this form to the Prime Bidder does not prevent the subcontractor from providing quotations to other bidders.

Signature block for ROBERTS TRAFFIC MARKING, LISA BIRCHFIELD, PRESIDENT.

Do not reduce supplier's quote on this Schedule. Adjustments for purposes of determining the value of a supplier's participation should be reflected on Schedule 1 only. See "Note 3" on Schedule 1. Amounts for materials and supplies should be broken out in the table above. Schedule 2 (v.07-03-13)

Florida UCP DBE Directory

Number of Records Returned: 1
Selection Criteria:
Vendor : ROBERTS TRAFFIC MARKING CORP

Vendor Name: ROBERTS TRAFFIC MARKING CORP
DBE Certification: CERTIFIED MBE Certification: Certified
DBA: Former Name:
Business Description: PAVEMENT MARKING, MAINTENANCE OF TRAFFIC, HIGHWAY SIGNS
Mailing AddressJ: 2210 HAYES STREET
HOLLYWOOD, FL 33020-
Contact Name: LISA BIRCHFIELD Phone: (954) 929-2922 Fax: (954) 929-3736
Email: EXEC@ROBERTSTRAFFIC.COM ACDBE Status: N
Statewide Availability: Y
Certified NAICS
237310 Highway, Street, and Bridge Construction
238990 All Other Specialty Trade Contractors

BUDGET TRANSFER

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

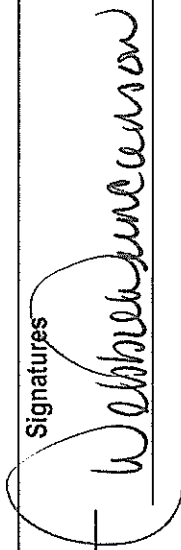
Page 1 of 1 pages

Advantage Document Numbers
BGEX 121-091521*1853

FUND 4111 Airport Improvement & Development Fund

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ADOPTED BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 09/16/21	REMAINING BALANCE
EXPENDITURES								
121-A435-6504	lotb Non Infrastructure	0	0	460,120		460,120	0	460,120
121-A900-9909	Reserves Improvement Program	19,167,306	19,167,306	0	460,120	18,707,186	0	18,707,186
Total Appropriations & Expenditures			0	460,120	460,120	0		

OFMB	Signatures	Date	By Board of County Commissioners At Meeting of
INITIATING DEPARTMENT/DIVISION		9/21/21	October 19, 2021
Administration/Budget Department Approval			Deputy Clerk to the
OFMB Department - Posted			Board of County Commissioners