

FORM OF AGREEMENT

Sidewalk Construction Lewis Street

THIS AGREEMENT, as awarded by the Nassau County Commission, at a duly public hearing held meeting on the Sixteenth day of November, 1992, by and between, NASSAU COUNTY, hereinafter called Owner, and **POOL DESIGN AND CONSULTING, INC.**, doing business as a corporation hereinafter called Contractor.

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

- The Contractor will commence and complete the construction of Lewis Street Sidewalk.
- The Contractor will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the Project described herein.
- The Contractor will commence work required by the Contract Documents within twenty (20) calendar days after the date of the Notice to Proceed and will complete the same within ninety (90) calendar days after the Notice to Proceed unless the period for completion is extended otherwise by the Contract Documents.
- The Contractor agrees to perform all of the work described in the Contract Documents and comply with the terms therein for the sum of **(\$17,419.99) Seventeen Thousand Four Hundred Nineteen and 99/100 Dollars** as shown in the Proposal Schedule.
- The term "Contract Documents" means and includes the following:
 - Advertisement for Bids
 - Proposal
 - Agreement
 - General Conditions
 - Special Conditions
 - Payment Bond
 - Payment Bond
 - Performance Bond
 - Notice of Award
 - Drawings prepared by Nassau County
 - Specifications prepared or issued by Nassau County
 - Addendum
- The Owner will pay to the Contractor in the manner and at such times as set forth in the General Conditions such amounts are required by the Contract Documents.

- This agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this Agreement in triplicate, each of which shall be deemed an original on the date first above written.


**BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA**

ATTEST:

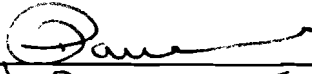

T. J. GREESON, EX-OFFICIO CLERK

BY:


JAMES TESTONE, CHAIRMAN


POOL DESIGN AND CONSULTING, INC. - County Attorney
12632 Steeplechase Lane
Jacksonville, FL 32223
(904) 268-7092
Approved as to Form

ATTEST:


ITS: V / PRESIDENT

BY:


ITS: PRESIDENT

**CONFLICT OF INTEREST
CERTIFICATE**

Bidder MUST execute either Section I or Section II hereunder relative to Florida Statute 112.313(12). Failure to execute either Section may result in rejection of this bid proposal.

SECTION I

I hereby certify that no official or employee of the County or independent agency requiring the goods or services described in these specifications has a material financial interest in this company.

Signature



POOL DESIGN AND CONSULTING INC.

Company Name

Walter J. Paul
Name of Official
(Type or Print)

12632 Steeplechase Lane,
Business Address

Jacksonville, FL 32223
City, State, Zip

SECTION II

I hereby certify that the following named County official(s) and employee(s) having material financial interest(s) (in excess of 5%) in this company have filed Conflict of Interest statement(s) with the Supervisor of Elections, 11 North 14th Street, Fernandina Beach, Florida, Nassau County, Florida, prior to bid opening date.

NAME	TITLE/POSITION	DATE OF FILING
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature

Company Name

Name of Certifying Official
(TYPE OR PRINT)

Business Address

City, State, Zip

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

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

1. This sworn statement is submitted with Bid, Proposal or Contract No. N/A
for LEWIS STREET - Sidewalk construction.
2. This sworn statement is submitted by POOL DESIGN AND CONSULTING INC.
[name of entity submitting sworn statement]
whose business address is 12632 Steeplechase lane,
Jacksonville, FL 32223 and
(if applicable) its Federal Employer Identification Number (FEIN) is 59-3039753.
(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)
3. My name is Walter J. Paul and my relationship to the
[please print name of individual signing]
entity named above is President.
4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
 1. A predecessor or successor of a person convicted of a public entity crime: or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [Please indicate which statement applies.]

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

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

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

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

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



[signature]

Date: October 15th., 1992

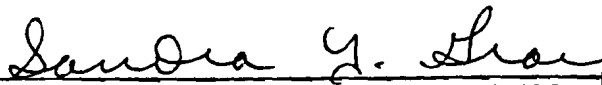
STATE OF Florida

COUNTY OF Duval

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Walter J. Paul who, after first being sworn by me, affixed his/her signature
[name of individual signing]

in the space provided above on this 15th. day of October, 1992.



NOTARY PUBLIC

My commission expires: March 16, 1993