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BID PROPOSAL

BID DATE: August 10, 1995

TO:

Jack J. D'Amato, Jr., P.E.  
County Engineer  
2290 State Road 200  
Fernandina Beach, FL 32034  
Fax No. (904) 321-5763

FROM: Dynamic Concrete Pumping, Inc.

ADDRESS: Post Office Box 19157 Jacksonville, Florida 32245

In accordance with the Invitation to Bid to provide Auger Cast Piles and subject to the Plans, General and Technical Specifications, Details, and Addenda, if any, all of which are made a part of the Proposal thereof, the undersigned proposes to construct the specified work for the Total Bid as follows:

BASE BID:

Provide all materials, equipment and labor for the successful installation of 16 auger cast piles and one test pile per plans and specifications.

Base Bid is in the amount of Twenty-Two Thousand  
Dollars & 00/100 Dollars (\$ 22,000.00 )

The above said figure is understood to be the basis for establishing the amount of Bid Guaranty.

ALTERNATE BID ITEM:

Provide all materials, equipment and labor for the successful installation of additional 32 auger cast piles at a later date (between 90 and 150 days after Base Bid piles are installed).

Owner shall have the right to adjust the number of the piles up or down by 20% utilizing the unit costs stated below.

ALTERNATE BID is in the Amount of Twenty-Seven Thousand  
Dollars & 00/100 Dollars (\$ 27,000.00 )

NASSAU COUNTY COURTHOUSE ADDITION FILES

UNIT PRICES: Provide Unit Price per pile specified and per foot of length.

Unit Price/Pile specified Seven Hundred Twenty-Five  
Dollars & 00/100 \_\_\_\_\_ dollars (\$ 725.00 )

Unit Price/Foot of Pile Twenty  
Dollars & 00/100 \_\_\_\_\_ dollars (\$ 20.00 )

A. BASIS OF AWARD

The Owner reserves the right to waive informalities in any bid; to reject any and all bids in whole or in part, with or without cause. The low bid shall be any combination of base bid and alternate bid that best serve the needs and budget of the Owner at the time of bid acceptance. Furthermore, the Owner reserves the right to accept the bids that in its judgment will be in the best interest of Nassau County.

APPENDIX A

The undersigned bidder certifies that this Proposal is made in good faith, without collusion or connection with any person or persons bidding on this Work.

The undersigned bidder has examined and read (cover to cover) all Plans, Specifications, General and Special Conditions, and other Contract Documents, and all Addenda thereto; and is acquainted with and fully understands the extent and character of the work covered by this Proposal and the specified requirements, for the proposed work.

The undersigned Bidder certifies that no officer or agent of the Owner will directly or indirectly benefit from this bid.

The undersigned Bidder states that this Proposal is made in conformity with the Contract Documents, and agrees that in case of any discrepancy or differences between his Proposal and the Contract Documents, the provisions of the latter shall prevail.

The undersigned Bidder certifies that he has carefully examined the foregoing Proposal after the same was completed and has verified every item placed thereon; and agrees to indemnify, defend and save harmless the Owner and the Architect against any cost, damage, or expense which may be incurred or caused by any error in his preparation of same.



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

(To be signed in the presence of a notary public or other officer authorized to administer oaths.)

STATE OF Florida

COUNTY OF Duval

Before me, the undersigned authority, personally appeared \_\_\_\_\_, who, being by me first duly sworn, made the following statement:

1. The business address of Dynamic Concrete Pumping, Inc. (name of bidder or contractor) is: 3052 Leon Road  
Jacksonville, Florida 32246
2. My relationship to Dynamic Concrete Pumping, Inc. (name of bidder or contractor) is President (relationship such as sole proprietor, partner, president, vice president).
3. I understand that a public entity crime as defined in Section 287.133 of the Florida Statutes includes 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 in Florida 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 such an agency or political subdivision and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
4. I understand that "convicted" or "conviction" is defined by the statute to mean 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.

NASSAU COUNTY COURTHOUSE ADDITION PILES

- 5. I understand that "affiliate" is defined by the statute to mean (1) a predecessor or successor of a person or a corporation 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, or (3) those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate, or (4) a person or corporation who knowingly entered into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months.
- 6. Neither the bidder or contractor nor any officer, director, executive, partner, shareholder, employee, member or agent who is active in the management of the bidder or contractor nor any affiliate of the bidder or contractor has been convicted of a public entity crime subsequent to July 1, 1989.

(Draw a line through paragraph 6 if paragraph 7 below applies).

- ~~7. There has been a conviction of a public entity crime by the bidder or contractor, or an officer, director, executive, partner, shareholder, employee, member or agent of the bidder or contractor who is active in the management of the bidder or contractor or an affiliate of the bidder or contractor. A determination has been made pursuant to Section 287.133 (3) by order of the Division of Administrative Hearings that it is not in the public interest for the name of the convicted person or convicted person or affiliate is \_\_\_\_\_ . A copy of the order of the Division of Administrative Hearings is attached to this statement.~~

(Draw a line through paragraph 7 if paragraph 6 above applies).

*Kama B. Powell*

Sworn to and subscribed before me in the state and county first mentioned above on the 9th day of August, 19 95.

*Kay J. Sweet*  
Notary Public Kay J. Sweet

(affix



June 28, 1995 Commission No. CC364469  
My commission expires:

NASSAU COUNTY COURTHOUSE ADDITION FILES

ATTACHMENT "B"  
CONFLICT OF INTEREST CERTIFICATE

I hereby certify that the following named public officials or employees or spouses or children having an interest in this company have filed "Form 3A, Interest in competitive Bid for Public Business" form with the Clerk of the Court, Nassau County, Florida prior to or at the time of submission of Bid.

NAME TITLE OF POSITION DATE OF FILING

NONE

DYNAMIC CONCRETE PUMPING, INC.  
Company Name

P. O. Box 19157  
Business Address

Jacksonville, Florida 32245  
City, State, Zip Code

  
Signature

Dana B. Jewell, President  
Name of Certifying  
Official (Please Type)

# The Ohio Casualty Insurance Company

136 North Third Street, Hamilton, Ohio 45012

## BID BOND

The American Institute of Architects,  
AIA Document No. A310 (February, 1970 Edition)

KNOW ALL MEN BY THESE PRESENTS, that we **DYNAMIC CONCRETE PUMPING, INC.**  
P.O. BOX 19157  
JACKSONVILLE, FL 32245

as Principal, hereinafter called the Principal, and **THE OHIO CASUALTY INSURANCE COMPANY** of Hamilton, Ohio

a corporation duly organized under the laws of the State of Ohio  
as Surety, hereinafter called the Surety, are held and firmly bound unto **NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS**

as Obligee, hereinafter called the Obligee, in the sum of **FIVE PER CENT OF AMOUNT BID** - - - - -

- - - - - Dollars (\$ **-5%** - - - - -),  
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for **NASSAU COUNTY COURTHOUSE ADDITION**

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **10TH** day of **AUGUST** 19 **95**

**DYNAMIC CONCRETE PUMPING, INC.**  
\_\_\_\_\_  
(Principal) (Seal)  
\_\_\_\_\_  
(Title)

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

*Sonji K. Rutlaw*  
\_\_\_\_\_  
(Witness)

**THE OHIO CASUALTY INSURANCE COMPANY**  
\_\_\_\_\_  
(Surety) (Seal)  
By *Roger R. Hurst*  
\_\_\_\_\_  
**ROGER R. HURST** (Attorney-in-Fact)  
**ALSO FL LICENSED RESIDENT AGENT**

CERTIFIED COPY OF POWER OF ATTORNEY

THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 28-830

Known All Men by These Articles: That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint: L. Preston Mangus III or Sonjic K. Outlaw or Roger R. Hurst - - - - - of Jacksonville, Florida - - - - - its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance FIVE MILLION - - - - - (\$ 5,000,000.00 ) Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons. The authority granted heretofore supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has herunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 7th day of October 19 92.

(Signed) *Joseph E. Garry*  
Assistant Secretary



STATE OF OHIO,  
COUNTY OF BUTLER

SS.

On this 7th day of October A. D. 19 92 before

the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Lloyd E. Garry, Assistant Secretary, - - - - - of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposite and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.



(Signed) *Lloyd E. Garry*  
Notary Public in and for County of Butler, State of Ohio  
My Commission expires August 5, 1997.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision. This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have herunto set my hand and the seal of the Company this 10TH day of AUG A. D., 19 95

Assistant Secretary

*Mark S. Gammitt*

