

RESOLUTION NO. 10-349

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AWARDED THE BID OF ENCORE CONSTRUCTION COMPANY, LLC IN THE AMOUNT OF \$3,056,000.00, INCLUDING THE ADDITIVE ALTERNATE PROPOSAL, FOR THE CONSTRUCTION OF HEADWORKS MODIFICATIONS AT THE RICHARD A. HEYMAN ENVIRONMENTAL PROTECTION FACILITY IN RESPONSE TO INVITATION TO BID #11-002; AUTHORIZING USE OF RESERVES TO FUND ACCELERATION OF PROJECT SCHEDULE; AUTHORIZING EXECUTION OF A CONTRACT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 10-154 the City Commission approved Amendment #2 to the Agreement between the City and the Department of Army for planning, design and construction of water quality improvements, including the Headworks project; and

WHEREAS, in Resolution 10-056, the City Commission approved task order 4-10-SWR for CH2M HILL, Inc. to provide engineering services for the design permitting and bid phase services for the Headworks Modification project; and

WHEREAS, CH2M HILL performed services under the task order, and promulgated bid #11-002, which was approved and distributed by City staff in accordance with the code of ordinances; and

WHEREAS, CH2M HILL reviewed the six bids received in response to City of Key West Bid No. 11-002, and recommends acceptance of the lowest responsive bid, submitted by Encore Construction Company, LLC;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the bid proposal of Encore Construction Company, LLC for the construction of Headworks Modifications at the Richard A. Heyman Environmental Protection Facility, including the additive alternate proposal, in a total amount not to exceed \$3,056,000.00 is hereby accepted in accordance with the terms and conditions in Invitation to Bid # 11-002 and response thereto.

Section 2: That a budget transfer to allocate Sewer Fund Reserves in the amount of \$2,000,000.00 is authorized to fund acceleration of the project.


Section 3: That the City Manager is authorized to enter into a contract in accordance with the proposal documents upon the advice and consent of the City Attorney.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 7 day of December, 2010.

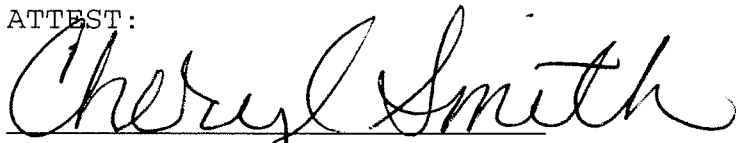
Authenticated by the presiding officer and Clerk of the Commission on December 8, 2010.

Filed with the Clerk December 8, 2010.



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Assistant City Manager - Operations

FROM: Jay Gewin, Utilities Manager

DATE: November 1, 2010

SUBJECT: **Approval of the Low Bid of Encore Construction Company, LLC in the Amount of \$3,056,000 for the Construction of Headworks Modifications at the Richard A. Heyman Environmental Protection Facility. Award Includes Additive Alternate Proposal. Authorizing Use of Reserves to Fund Acceleration of Project Schedule.**

ACTION STATEMENT:

This request is to approve the low bid of Encore Construction Company, LLC for the headworks modifications at the Richard A. Heyman Environmental Protection Facility (Wastewater Treatment Plant) in the amount of \$3,056,000. The award amount includes an \$86,000 additive alternate within the bid to replace the entire motor control center of the headworks.

The resolution will also authorize the use of \$2,000,000 in sewer fund reserves to fund the acceleration of this project.

BACKGROUND:

The need for this project is twofold. First, the City needs to replace the aging headworks at the location where sewer flow enters the WWTP. It hasn't been replaced or received significant improvements or repair in approximately 25 years of heavy wear and tear.

Second, the work will be incorporated within our City's plan to increase our sewer collection capacity. The City of Key West has completed a hydraulic analysis of our wastewater collection and transmission system. The City currently pumps all wastewater to the Richard A. Heyman Environmental Protection Facility (WWTP) through one 30" transmission main. With the installation of the second Deep Injection Well at the WWTP, the City can

Key to the Caribbean - Average yearly temperature 77° F.

utilize the abandoned 30-inch effluent pipeline to direct additional wastewater flows to the WWTP.

The City plans to connect the pump station D/DA force main to the 30-inch abandoned pipeline which currently runs to the WWTP, and upgrade our 25 year old existing headworks facility to handle the additional capacity at the plant. Additionally, work will be performed at the Eaton St. and White St. intersection that includes required pipe work as part of the plans to increase flow capacity.

The proposed improvements to the wastewater collection system will help reduce surcharging of the sewer system in residential areas during extreme rain events and storm surges. This reduction of sewer back ups and potential overflows in the City during these events would further reduce potential health risks to the citizens of Key West and near shore waters.

CH2M Hill was tasked to design the headworks improvements and create the bid documents for this project. (Resolution 10-056) There is also a task order that will be brought before the City Commission for CH2M Hill to serve as engineers during construction. City Staff and OMI will also assist in construction inspection.

PURPOSE & JUSTIFICATION:

A total of seven construction firms attended the mandatory pre-bid meeting. Six of these firms submitted bids to the City. Encore Construction LLC was the low-bidder.

The bid included an additive alternate to replace the entire motor control center within the headworks of the plant. This will replace the existing 25 year old unit that is the key cog to all of the headworks' operating equipment. Staff and our engineering consultant CH2M Hill have reviewed the quote and determined it to be cost-effective and beneficial. We have therefore decided to include the additive alternate work from Encore Construction in the amount of \$86,000.00.

The bid also included two deduct alternatives. One was for the new pipeline entering into the WWTP, and another for the construction work that will be required at the Eaton and White St. intersection. Both deduct alternatives represent work that is necessary to the successful completion of the project, and staff constructed the bid this way in an attempt to expedite the project so that Army Corps of Engineering grant funding could be secured.

Staff secured quotes for the scope of work listed within each deduct alternatives from the two firms the City has contracted for General Services. Upon examination of each General Services Contract quote (from Charley Toppino and Sons and DN Higgins), City Staff has determined it would be most cost-effective to utilize Encore Construction for the entire project.

We have reviewed the qualifications, experience, and references of Encore Construction LLC, and have feel that they are fully capable of performing the work.

Therefore it is staff's recommendation to award the WWTP Headworks Modifications project to Encore Construction in the amount of \$3,056,000.

OPTIONS:

1. The City could elect to not increase the sewer system capacity; nor replace the WWTP's aging headworks. This option is not recommended as it leaves the city and its residents more vulnerable to potential sewer overflows in the residential areas of the City during extreme rain events and storm surges. EPA has adopted a zero tolerance policy as it relates to sewer spills. Spills relating to high flow conditions could result in fines. City Staff, OMI, and engineering consultant CH2M Hill are in agreement that the WWTP's headworks are showing the effects of aging and wear and tear, and are in definite need for replacement.
2. The City could elect to re-bid the project. This option is not recommended as Staff does not believe that doing so would result in a lower bid. The proposal of Encore Construction was below the Engineer's estimate of \$3,613,979.
3. The City could award the low bid of Encore Construction in the amount of \$3,056,000. This construction firm has good references and experience, and the bid is within the City's total budget for the project. We would also utilize \$2,000,000 in sewer fund reserves to cover the acceleration of the project schedule. It will enable the WWTP headworks to be replaced, and the sewer collections capacity expansion efforts to move forward.

FINANCIAL IMPACT:

The WWTP Headworks project is a City Commission-approved capital expense, and this bid is well within the City's total budgeted amount for the Headworks Project. Funds are budgeted in account number 401-3503-535-65/SE0903.

The project is eligible ACOE funding at a rate of 65% up to the City's total funding cap of \$10.3 million. \$1,698,641.91 is the current remaining amount eligible to be invoiced to the US Army Corps for reimbursement from a combination of the WWTP Headworks Modifications Project, the Pump Station F/Capacity Expansion project, and the remaining stormwater invoices.

We are accelerating the project so that we can be reimbursed by the Army Corps of Engineers. We will use \$2,000,000 from unappropriated fund balance (Account # 401-3501-535-99) to pay for the cost of accelerating the project so most of the expenditures will be paid in FY 2011, rather than spanning the course of two fiscal years.

The original budget for the Headworks project was approved by the City Commission at \$6,104,600. The revised budget total now that we have received bids and quotes for a construction engineering task order is as follows:

Design Services.....	\$ 350,839
Construction.....	\$ 3,056,000
Construction Engineering.....	\$ 298,194
Permitting.....	\$ 1,000
TOTAL	\$3,706,033

RECOMMENDATION:

Staff recommends option # 3, the award of the WWTP Headworks Modifications project to Encore Construction Company LLC in the amount of \$3,056,000, and authorizing a \$2,000,000 transfer from sewer fund reserves to fund the acceleration of the project. Staff and our Engineering Consultant have conducted a thorough analysis of this bid, resulting in a recommendation to award the bid to Encore Construction.

RESOLUTION NO. 10-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AMENDMENT #2 TO THE AGREEMENT BETWEEN THE CITY OF KEY WEST AND THE DEPARTMENT OF ARMY FOR PLANNING DESIGN AND CONSTRUCTION OF FLORIDA KEYS WATER QUALITY IMPROVEMENT PROGRAM; AUTHORIZING THE MAYOR TO SIGN THE FINAL AMENDMENT AGREEMENT DOCUMENT(S) ON BEHALF OF THE CITY UPON THE ADVICE AND CONSENT OF THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on February 5, 2008, the City Commission adopted Resolution No. 08-033, approving a Project Cooperation Agreement (PCA) between the City and the Army Corps of Engineers for the planning, design and construction of the Florida Keys Water Quality Improvement Program Stormwater Improvement Project, which allocated about ten million dollars in federal funding for a number of projects within the City; and

WHEREAS, Amendment No. 2 will maximize grant funding opportunities by adding the Sigsbee Force Main project, the WWTP Headworks/Capacity Expansion project and the Pump Station F project to the scope contained in the PCA;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached substantial conformity draft of "Amendment No. 2 to Agreement Between the Department of Army and the City of Key West for Planning, Design and Construction of Florida Keys Water Quality Improvement Program Stormwater Improvement Project" is hereby approved.


Section 2: That the Mayor is hereby authorized to sign the document(s) on behalf of the City.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 4th day of May, 2010.

Authenticated by the presiding officer and Clerk of the Commission on May 5, 2010.

Filed with the Clerk May 5, 2010.



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1109 Key West, FL 33041-1109 (305) 899-3700

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager

Cc: David Fernandez, Asst. City Manager - Operations
Gary W. Bowman, General Services Director

FROM: Jay Gewin, Utilities Manager

DATE: April 5, 2010

SUBJECT: **Approving the Substantial Conformity of Amendment # 2 to the Agreement Between the US Army Corps of Engineers and the City of Key West for Project Cooperation Agreement for the Florida Keys Water Quality Improvement Program. Authorizing the Mayor to Execute the Amendment.**

ACTION STATEMENT: We are requesting City Commission approval of a resolution authorizing the Mayor to Sign Amendment No. 2 to the Project Cooperation Agreement (PCA) with the US Army Corps of Engineers (ACOE) to enable additional sewer projects to become eligible for federal grant funding reimbursement. We are requesting the Commission's approval of the substantial conformity of this draft, which would allow Staff and the Army Corps to make very minor changes if needed.

BACKGROUND:

On February 5, 2008 the City Commission passed and adopted Resolution 08-033 approving the PCA between the City and the Army Corps for the planning, design and construction of the Florida Keys Water Quality Improvement Program Stormwater Improvement Project for an amount up to \$10.32 million. \$9,947,000 of this has been appropriated to date.

Funding for the Stormwater Improvement Project originates from the \$100 million in Federal funds designated to improve water quality in the Florida Keys National Marine Sanctuary. Six municipalities were allocated portions of the \$100 million beginning in 2004.

On April 28, 2009 the Army Corps released a listing of Civil Works projects to be funded by the American Recovery and Reinvestment Act of 2009 (Stimulus), with \$25.408 million going to the Florida Keys. Key West, along

Key to the Caribbean - Average yearly temperature 77° F

with Marathon, Islamorada and Key Largo received \$6.352 million each. The allocation is also included in the \$10.32 million originally allocated to the City and does not increase the \$10.32 million allocation.

Utilizing Army Corps funding places a significant time constraint on the City. By September 1, 2010 the City will have to have invoiced the Army Corps for the entire \$10.32 million. While only \$6.352 million is actual Stimulus funds, the Army Corps has stipulated that the City must first spend the funds allocated in years prior to the Stimulus funds. This means the City will essentially need to spend the entire \$10.32 million by September 1, 2010 since all the non-Stimulus funds were allocated prior to the Stimulus funds.

It is important to keep in mind that the \$10.32 million represents the Army Corps share of 65% of total project costs of \$15,876,923. The non-Federal share is the remaining 35% or \$5,556,923. This means the City will incur over \$15 million in project costs by September 1, 2010. The City will aggressively meet the September 1, 2010 deadline by completing several stormwater injection well projects, a diffused aeration upgrade project at the WWTP, and other wastewater improvements including the replacement of the headworks at the WWTP and improvements designed to increase capacity in the wastewater collection system.

PURPOSE & JUSTIFICATION:

The deadline for invoicing the Army Corps of Engineers for completed work has placed significant time constraints on the City to meet the September 1, 2010 deadline. In an effort to accelerate the spending of federal funds, the City has requested an amendment to the agreement with the Army Corps allowing for the addition of the Sigsbee Force Main project, the WWTP Headworks/Capacity Expansion project, and the Pump Station F project to the scope contained in the PCA. Due to the fact that the City received favorable bids for the Diffused Aeration project at the WWTP, the City now has the opportunity to utilize Army Corps funding for this additional work.

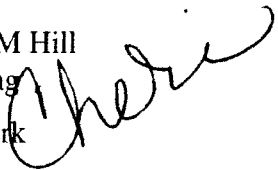
The Army Corps has reviewed all aspects of our request, including compliance with the National Environmental Protection Act (NEPA) and has determined the City's planned capacity expansion and WWTP headworks projects are acceptable. As a result, the Army Corps is granting the City an amendment to the agreement. The City Commission has already approved a task order for the design work for the WWTP Headworks (Resolution 10-056) and Sigsbee Force Main project along North Roosevelt (Resolution 09-102).

Staff is requesting that the Commission approve the substantial conformity of the PCA amendment. This will allow staff or the Army Corps of Engineers to make very minor changes to the document if needed. We are making this request of the Commission so that Staff can maximize grant funding opportunities ahead of grant deadlines.

OPTIONS:

1. Authorize the execution of Amendment No. 2 to the PCA and maximize the City's ability to utilize the full \$9.947 million in Federal funds. This will allow the City to have a portion of the WWTP Headworks/Capacity Expansion project to be funded through Army Corps grants.

INTEROFFICE MEMORANDUM

To: Jay Gewin, Utilities Manager
CC: Andrew Smyth, CH2M Hill
Sue Snider, Purchasing
From: Cheri Smith, City Clerk 
Date: October 28, 2010
Subject: **HEADWORKS MODIFICATION at the RICHARD A. HEYMAN ENVIRONMENTAL PROTECTION FACILITY; Bid #11-002**

Attached for your review is a copy of the bid opened Thursday, October 28, 2010 at 3:00 p.m. in response to the above referenced project.

1.	Encore Construction Company, LLC 370 E. Crown Pointe Road Winter Garden, FL 34787	Total: \$2,970,000.00 Additive Alternate: 86,000.00 Deductive Alternate (1): 250,000.00 Deductive Alternate (2): 150,000.00
2.	Douglas N. Higgins, Inc. 3390 Travis Pointe Road Suite A Ann Arbor, MI 48108	Total: \$4,294,000.00 Additive Alternate: 72,000.00 Deductive Alternate (1): 480,000.00 Deductive Alternate (2): 430,000.00
3.	TLC Diversified, Inc. 2719 17 th Street, E. Palmetto, FL 34221	Total: \$3,386,700.00 Additive Alternate: 72,000.00 Deductive Alternate (1): 481,000.00 Deductive Alternate (2): 422,000.00
4.	Metro Equipment Services, Inc. 7171 S.W. 62 nd Avenue, #502 Miami, FL 33143	Total: \$4,320,800.00 Additive Alternate: 122,000.00 Deductive Alternate (1): 165,000.00 Deductive Alternate (2): 125,000.00
5.	Wharton-Smith, Inc. 750 Monroe Road Sanford, FL 32771	Total: \$3,337,000.00 Additive Alternate: 80,000.00 Deductive Alternate (1): 350,000.00 Deductive Alternate (2): 520,000.00
6.	Wright Construction Group 1105 Taylor Road Suite L Punta Gorda, FL 33950	Total: \$4,480,000.00 Additive Alternate: 70,000.00 Deductive Alternate (1): 560,000.00 Deductive Alternate (2): 340,000.00

CS/sph

Bid 11-002 Headworks Modifications



CH2MHILL

CH2M HILL
6410 5th Street
Suite 2-A
Key West, FL 33040-5835
Tel 305.294.1645
Fax 305.294.4913

November 1, 2010

Mr. Jay Gewin
Utilities Manager
City of Key West
3140 Flagler Avenue
Key West, FL 33040

Re: Contractor Recommendation
Headworks Modifications at the Richard A. Heyman Environmental Protection Facility

Dear Mr. Gewin:

Six (6) bids were received for the subject contract on October 28, 2010 and are summarized in the attached Bid Results Summary table. All six (6) bids included a signed proposal and all the required forms.

The apparent low bidder, Encore Construction Company, has recent construction experience working on similar projects in the Florida Keys, and has also worked on similar projects throughout Florida with excellent references.

The City has received bids from its General Utility (GU) contractors for the work included in the Headworks project, as deductive alternates. Encore Construction Company's deductive alternate bids are significantly lower than the bids received under the GU contract. Additionally, the additive alternate for the replacement of the WWTP MCC's is within the budgeted amount.

We therefore recommend that the City award the Headworks Modification contract to Encore Construction Company, in the amount of **\$3,056,000** which includes the additive alternate in the amount of \$86,000. We do not recommend reducing the scope for the deductive alternates based on the favorable bid. The low bid is substantially below the engineers estimate.

Please call me if you have any questions or need additional information.

Sincerely,

CH2M HILL

Andrew H. Smyth, P.E.

cc: David Fernandez/City Key West
File

Table 1
Bid Results
Summary

Description	Bidder							
	Wharton Smith	Encore	DN Higgins	TLC Diversified	Metro Equipment	Wright Construction	Engineers Est	GU Contractor
Headworks Mods	\$3,177,000	\$2,803,000	\$4,128,000	\$3,223,000	\$4,173,600	\$4,173,600	\$3,418,979	
Contingency Allowance	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	
Concrete allowance (SF)	\$30,000	\$37,500	\$33,500	\$31,500	\$21,000	\$50,000	\$50,000	
Instrumentation allowance	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	
Permitting allowance	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	
Over Excavate allowance (CY)	\$5,000	\$4,500	\$7,500	\$7,200	\$1,200	\$10,000	\$20,000	
Total Lump Sum Bid	\$3,337,000	\$2,970,000	\$4,294,000	\$3,386,700	\$4,320,800	\$4,358,600	\$3,613,979	
Additive Alternate	\$80,000	\$86,000	\$72,000	\$72,000	\$122,000	\$70,000		
Deductive Alternate #1 (HDPE)	\$350,000	\$250,000	\$480,000	\$481,000	\$165,000	\$560,000		\$477,294
Deductive Alternate #2 (Eaton & White)	\$520,000	\$150,000	\$430,000	\$422,000	\$125,000	\$340,000		\$405,003

NOTE TO BIDDER: Use preferably BLACK ink for completing this Bid form.

BID FORM

To: The City of Key West

Address: 525 Angela Street, Key West, Florida 33040

Project Title: ITB #11-002/Headworks Modifications at the
Richard A. Heyman Environmental Protection Facility

CH2M HILL Project No.: 402868

City of Key West Project No.: SE 0903

Bidder's person to contact for additional information on this Bid:

Name: Mark A. Kelly - Encore Construction Company, LLC

Telephone: 407-877-5903

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this Bid are those named herein, that this Bid is, in all respects, fair and without fraud, that it is made without collusion with any official of the Owner, and that the Bid is made without any connection or collusion with any person submitting another Bid on this Contract.

The Bidder further declares that he has carefully examined the Contract Documents for the construction of the project, that he has personally inspected the site, that he has satisfied himself as to the quantities involved, including materials and equipment, and conditions of work involved, including the fact that the description of the quantities of work and materials, as included herein, is brief and is intended only to indicate the general nature of the Work and to identify the said quantities with the detailed requirements of the Contract Documents, and that this Bid is made according to the provisions and under the terms of the Contract Documents, which Documents are hereby made a part of this Bid.

The Bidder further agrees, as evidenced by signing the Bid, that if awarded a Contract, the Florida Trench Safety Act and applicable trench safety standards will be complied with.

CONTRACT EXECUTION AND BONDS

The Bidder agrees that if this Bid is accepted, he will, within 10 days, not including Sundays and legal holidays, after Notice of Award, sign the Contract in the form annexed hereto, and will at that time, deliver to the Owner examples of the Performance Bond and Payment Bond required herein, and evidence of holding required licenses and certificates, and will, to the extent of his Bid, furnish all machinery, tools, apparatus, and other means of construction and do the Work and furnish all the materials necessary to complete all work as specified or indicated in the Contract Documents.

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CERTIFICATES OF INSURANCE

Bidder agrees to furnish the Owner, before commencing the Work under this Contract, the certificates of insurance as specified in these Documents.

START OF CONSTRUCTION AND CONTRACT COMPLETION TIMES

The Bidder agrees to begin work within 10 calendar days after the date of the Notice to Proceed and to achieve Substantial Completion within 330 calendar days from the date when the Contract Times commence to run as provided in paragraph 2.03.A of the General Conditions, and Work will be completed and ready for final payment and acceptance in accordance with paragraph 14.07 of the General Conditions within 360 calendar days from the date when the Contract Times commence to run.

LIQUIDATED DAMAGES

In the event the Bidder is awarded the Contract, Owner and Bidder recognize that time is of the essence of this Agreement and that Owner will suffer financial loss if the Work is not completed within the times specified in paragraph Start of Construction and Contract Completion Times above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. Owner and Bidder also recognize the delays, expense, and difficulties involved in proving in a legal or other dispute resolution proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Bidder agree that as liquidated damages for delay (but not as a penalty) Bidder shall pay Owner \$10,000.00 per day for each day that expires after the time specified for substantial completion.

After Substantial Completion, if Bidder neglects, refuses, or fails to complete the remaining Work within the Contract Times or any Owner-granted extension thereof, Bidder shall pay Owner \$3,000.00 for each day that expires after the time specified in paragraph Start of Construction and Contract Completion Times, above for completion and readiness for final payment. Liquidated damages shall run concurrent.

Owner will recover such liquidated damages by deducting the amount owed from the final payment or any retainage held by Owner.

ADDENDA

The Bidder hereby acknowledges that he has received Addenda Nos. 1, 2, _____, _____, _____, (Bidder shall insert No. of each Addendum received) and agrees that all addenda issued are hereby made part of the Contract Documents, and the Bidder further agrees that his Bid(s) includes all impacts resulting from said addenda.

SALES AND USE TAXES

The Bidder agrees that all federal, state, and local sales and use taxes are included in the stated Bid Prices for the Work. Cash allowances DO NOT include any sales and use tax. Equipment allowance includes taxes as shown in Equipment Suppliers' Bid.

PUBLIC ENTITY CRIMES

“A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.”

COMBINED UNIT PRICE AND LUMP SUM WORK

The Bidder further proposes to accept as full payment for the Work proposed herein the amounts computed under the provisions of the Contract Documents. For unit price bid items, the estimate of quantities of work to be done is tabulated in the Proposal and, although stated with as much accuracy as possible, is approximate only and is assumed solely for the basis of calculation upon which the award of Contract shall be made. For lump sum bid items, it is expressly understood that the amounts are independent of the exact quantities involved. The Bidder agrees that the amounts for both unit price and lump sum work represent a true measure of labor and materials required to perform the Work, including all allowances for overhead and profit for each type of work called for in these Contract Documents. The amounts shall be shown in both words and figures. In case of discrepancy, the amount shown in words shall govern.

CONTINGENCY ALLOWANCE

Bidder further agrees that the amount shown is an estimated amount to be included in the Total Base Bid for unforeseen conditions and conflicts. Bidder further acknowledges that payment will be based on actual costs as determined in conformance with the Contract Documents and as authorized by Change Order. The Owner will negotiate with the Contractor how each Contingency Allowance will be spent prior to performing the work.

CONCRETE REPAIR ALLOWANCE

This allowance is for the removal and repair of the concrete grit influent, effluent, and bypass channels. The allowance also includes any concrete repair to the grit basins. Bidder acknowledges that payment will be based on a unit price for concrete repair that is 2 inches thick per square foot of surface area. The unit price is inclusive and includes but is not limited to material, equipment, labor, and all appurtenances. The Owner will authorize repairs based on an agreed upon quantity prior to performing the work.

INSTRUMENTATION ALLOWANCE

This allowance is to support the Owner on instrumentation and control related issues as necessary. The Owner will negotiate fee with the Contractor on each issue prior to performing the Work.

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BUILDING PERMIT ALLOWANCE

Bidder further acknowledges that this amount shown is an estimated amount to be included in the Total Base Bid for the Building Permit required by the City of Key West. Bidder acknowledges that payment will be based on actual costs for the permit(s).

OVER EXCAVATION ALLOWANCE

This allowance is for over excavation of the pipeline if unacceptable soil is encountered. This allowance unit price shall be all inclusive and includes but is not limited to the following: excavation, disposal, and backfill. The Owner will negotiate the exact quantities before the Contractor proceeds with removal.

Bidder will complete the Work in accordance with the Contract Documents for a fixed fee price.

LUMP SUM BID PRICE

A. Headworks Modifications			<u>\$ 2,803,000</u>
B. Contingency Allowance			<u>\$100,000.00</u>
C. Concrete Repair Allowance	500 S.F.	\$ <u>75</u> /S.F.	<u>\$ 37,500</u>
D. Instrumentation Allowance			<u>\$15,000.00</u>
E. Permitting Allowance			<u>\$10,000.00</u>
F. Over Excavation Allowance	100 C.Y.	\$ <u>45</u> /C.Y	<u>\$ 4,500</u>

TWO MILLION NINE HUNDRED SEVENTY THOUSAND Dollars

(Amount written in words has precedence)

and NO Cents

\$ 2,970,000
(numerals)

TOTAL LUMP SUM BID

\$ 2,970,000
(numerals)

ADDITIVE ALTERNATE

This alternative is for the removal of 2MCC 1A and 2MCC 1B and Replacement with new 2MCC 1A and 2MCC 1B as described in the specification Section 26 24 19, Low-Voltage Motor Control and shown on Drawing E-3 and includes all labor, equipment, and necessary appurtenances. This alternate includes deduct for the MCC modifications that are part of the the base bid as shown on Drawing E-2.

\$ 86,000
(numerals)

DEDUCTIVE ALTERNATE

1. This deductive alternate is to delete the 30-inch HDPE pipeline at the WWTP site. This includes the tie-in to the existing pipe and the pipeline to the 30-inch x 20-inch reducing elbow at the Headworks below ground. This includes all labor, equipment, material, and necessary appurtenances. (Drawings C-1, C-2, C-3, and C-4)

\$ 250,000
(numerals)

2. This deductive alternate is to delete the force main improvements at Eaton Street and White Street. This includes all labor, equipment, material, and necessary appurtenances. (Drawing C-5)

\$ 150,000
(numerals)

SUBCONTRACTORS

The Bidder further proposes that the following subcontracting firms or businesses will be awarded subcontracts for the following portions of the Work in the event that the Bidder is awarded the Contract:

SINNS & THOMAS

Name _____
 Street _____ LONGWOOD _____ FL 32752
 City State Zip

Name _____
 Street _____ City _____ State _____ Zip _____

Name _____
 Street _____ City _____ State _____ Zip _____

Name _____
 Street _____ City _____ State _____ Zip _____

402868A.GN1

Surety

Federal Insurance Company c/o Guignard Company _____ whose address is

1904 Boothe Circle Longwood FL 32750
Street City State Zip

Bidder

The name of the Bidder submitting this Bid is Encore Construction Company, LLC

_____ doing business at

370 East Crown Point Road Winter Garden FL 34787
Street City State Zip

which is the address to which all communications concerned with this Bid and with the Contract shall be sent.

The names of the principal officers of the corporation submitting this Bid, or of the partnership, or of all persons interested in this Bid as principals are as follows:

Patrick T. Rainey, President Louise B. Rainey, Secretary

Timothy M. Behler, Senior Vice President _____

Mark A. Kelly, Vice President of Pre-Construction _____

If Sole Proprietor or Partnership

IN WITNESS hereto the undersigned has set his (its) hand this ___ day of _____ 20__.

Signature of Bidder

Title

If Corporation

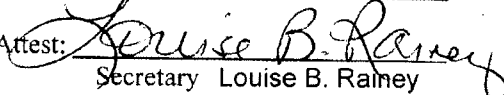
IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this 28th day of October 2010.

(SEAL)

Encore Construction Company, LLC
Name of Corporation

By: 

Title: Patrick T. Rainey, President

Attest: 
Secretary Louise B. Rainey

END OF SECTION

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NOW, THEREFORE, the conditions of this obligation are such that if the Principal within 10 consecutive calendar days after written notice of such acceptance, enters into a written Contract with the Obligee and furnishes the Performance and Payment Bonds, each in an amount equal to 100 percent of the awarded base bid, satisfactory to the Owner, then this obligation shall be void; otherwise the sum herein stated shall be due and payable to the Obligee and the Surety herein agrees to pay said sum immediately upon demand of the Obligee in good and lawful money of the United States of America, as liquidated damages for failure thereof of said Principal.

Signed and sealed this 28th day of October, 2010.

Encore Construction Company, LLC

Principal

By: 

Patrick T. Rainey, President

Federal Insurance Company

Surety

By: 

Attorney-In-Fact & Florida Licensed Resident Agent

April L. Lively

END OF SECTION

Inquiries: (407) 834-0022



**Chubb
Surety**

**POWER
OF
ATTORNEY**

**Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company**

**Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059**

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Bryce R. Guignard, J.W. Guignard, April L. Lively, Jennifer L. McCarta and Margie L. Morris of Longwood, Florida-----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 11th day of June, 2004

Kenneth C. Wendel, Assistant Secretary

Frank E. Robertson, Vice President

STATE OF NEW JERSEY }
County of Somerset } ss.

On this 11th day of June, 2004, before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with Frank E. Robertson, and knows him to be Vice President of said Companies; and that the signature of Frank E. Robertson, subscribed to said Power of Attorney is in the genuine handwriting of Frank E. Robertson, and was thereto subscribed by authority of said By-Laws and in deponent's presence.



Karen A. Price
Notary Public State of New Jersey
No. 2231647

Notary Public
Commission Expires Oct 28, 2004

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U. S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U. S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this 28th day of October, 2010



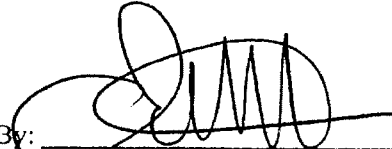
Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903-3485 Fax (908) 903-3656 e-mail: surety@chubb.com


ANTI-KICKBACK AFFIDAVIT

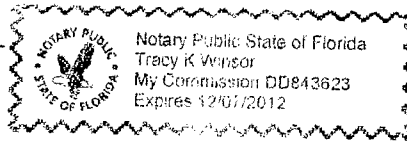
STATE OF FLORIDA)
 : SS
COUNTY OF MONROE)

I, the undersigned hereby duly sworn, depose and say that no portion of the sum herein bid will be paid to any employees of the City of Key West as a commission, kickback, reward or gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

By: 
Encore Construction Company, LLC
Patrick T. Rainey, President

Sworn and subscribed before me this
28th day of October, 2010


NOTARY PUBLIC, State of Florida
at Large



My Commission Expires: 12/07/2012

END OF SECTION

**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 or Proposal for Headworks Modifications at the
Richard A. Heyman Environmental Protection Facility, City of Key West, Florida

2. This sworn statement is submitted by Encore Construction Company, LLC
(name of entity submitting sworn statement)

whose business address is 370 East Crown Point Road, Winter Garden, FL 34787

_____ and (if applicable) its Federal Employer

Identification Number (FEIN) is 26-1523725

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

3. My name is Patrick T. Rainey
(please print name of individual signing)

and my relationship to the 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 or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, 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 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 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.

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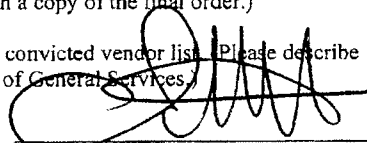
- 7. I understand that a "person" as defined in Paragraph 287.133(1)(8), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with 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).

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, AND (Please indicate which additional statement applies.)

There has been a proceeding concerning the conviction before a hearing 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 put on the convicted vendor list. Please describe any action taken by or pending with the Department of General Services.


 (signature) Patrick T. Rainey, President
 October 28, 2010
 (date)

STATE OF Florida

COUNTY OF Orange

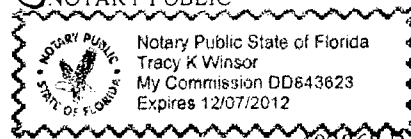
PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Patrick T. Rainey who, after first being sworn by me, affixed his/her (name of individual signing)

signature in the space provided above on this 28th of October, 2010

My commission expires: 12/07/2012


 NOTARY PUBLIC



PUBLIC ENTITY CRIMES
 00 43 17 - 2

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OCTOBER 4, 2010

©COPYRIGHT 2010 CH2M HILL

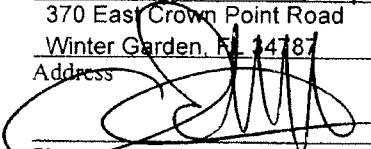
CITY OF KEY WEST INDEMNIFICATION FORM

The Contractor shall indemnify and hold harmless the City of Key West, its officers, and employees, from liabilities, damages, losses and costs, including, but not limited to reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of Contractor and persons employed or utilized by Contractor in the performance of this agreement. Except as specifically provided herein, this agreement does not require Contractor to indemnify the City of Key West, its employees, officers, directors, or agents from any liability, damage, loss, claim, action or proceeding.

These indemnifications shall survive the term of this agreement. In the event that any action or proceeding is brought against the City of Key West by reason of such claim or demand, Contractor shall, upon written notice from the City of Key West, resist and defend such action or proceeding by counsel satisfactory to the City of Key West.

The indemnification provided above shall obligate Contractor to defend at its own expense to and through appellate, supplemental or bankruptcy proceeding, or to provide for such defense, at the City of Key West's option, any and all claims of liability and all suits and actions of every name and description covered above which may be brought against the City of Key West whether performed by Contractor, or persons employed or utilized by Contractor.

The Contractor's obligation under this provision shall not be limited in any way by the agreed upon Contract Price as shown in this agreement, or the Contractor's limit of or lack of sufficient insurance protection.

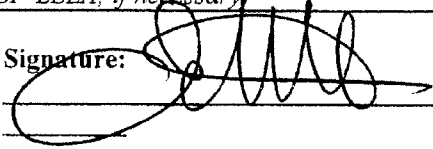
CONTRACTOR: Encore Construction Company, LLC SEAL:
370 East Crown Point Road
Winter Garden, FL 34787
 Address

 Signature
Patrick T. Rainey
 Print Name
President
 Title

DATE: October 28, 2010

DISCLOSURE OF LOBBYING ACTIVITIES

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

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> a</p> <p><input checked="" type="radio"/> a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a</p> <p><input checked="" type="radio"/> a. bid/offer/application b. initial award c. post-award</p>	<p>3. Report Type:</p> <p><input type="checkbox"/> a</p> <p><input checked="" type="radio"/> a. initial filing b. material change</p> <p>For Material Change Only:</p> <p>year _____ quarter _____ date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:</p> <p>Encore Construction Company, LLC</p> <p>Congressional District, if known:</p>	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>N/A</p> <p>Congressional District, if known:</p>	
<p>6. Federal Department/Agency:</p> <p>N/A</p>	<p>7. Federal Program Name/Description:</p> <p>N/A</p> <p>CFDA Number, if applicable: _____</p>	
<p>8. Federal Action Number, if known:</p> <p>N/A</p>	<p>9. Award Amount, if known:</p> <p>\$ Not Known</p>	

<p>10. a. Name and Address of Lobbying Entity <i>(if individual, last name, first name, MI):</i></p> <p style="text-align: center;">N/A</p> <p style="text-align: center;"><i>(attach Continuation Sheet(s))</i></p>	<p>b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i></p> <p style="text-align: center;">N/A</p>
<p>11. 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 tier 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 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.</p>	<p style="text-align: center;"><i>SF-LLLA, if necessary</i></p> <p>Signature: </p> <hr/> <p>Print Name: Patrick T. Rainey</p> <hr/> <p>Title: President</p> <hr/> <p>Telephone No.: 407-877-5903 Date: October 28, 2010</p>
<p>Federal Use Only:</p>	<p>Authorized for Local Reproduction Standard Form - LLL (Rev 7 - 97)</p>

FORM DEP 55-221 (01/01)

**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. 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 follow up 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 the 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. 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, D.C. 20503.

Form DEP 55-221 (01/01)

**NON-COLLUSION DECLARATION AND
COMPLIANCE WITH 49 CFR §29.**

ITEM/SEGMENT NO.: _____
F.A.P. NO.: _____
PARCEL NO.: ITB#11-002/Headworks Modifications
COUNTY OF: at the Richard A. Heyman
BID LETTING OF: Environmental Protection Facility

I, Patrick T. Rainey, hereby
declare that I am President (NAME) of Encore Construction Company, LLC
(TITLE) (FIRM)
Of Winter Garden, Florida
(CITY AND STATE)

and that I am the person responsible within my firm for the final decision as to the price(s) and amount of this Bid on this State Project.

I further declare that:

1. The prices(s) and amount of this bid have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition with any other contractor, bidder or potential bidder.
2. Neither the price(s) nor the amount of this bid have been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to the bid opening.
3. No attempt has been made or will be made to solicit, cause or induce any other firm or person to refrain from bidding on this project, or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.
4. The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary bid.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by any firm or person to refrain from bidding or to submit a complementary bid on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any other project, in consideration for my firm's submitting a complementary bid, or agreeing to do so, on this project.
7. I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's bid on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this Declaration.

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8. As required by Section 337.165, Florida Statutes, the firm has fully informed the Department of Transportation in writing of all convictions of the firm, its affiliates (as defined in Section 337.165(1)(a), Florida Statutes), and all directors, officers, and employees of the firm and its affiliates for violation of state or federal antitrust laws with respect to a public contract or for violation of any state or federal law involving fraud, bribery, collusion, conspiracy or material misrepresentation with respect to a public contract. This includes disclosure of the names of current employees of the firm or affiliates who were convicted of contract crimes while in the employ of another company.

9. I certify that, except as noted below, neither my firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, and/or position involving the administration of Federal funds:

(a) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions, as defined in 49 CFR §29.110(a), by any Federal department or agency;

(b) has within a three-year period preceding this certification been convicted of or had a civil judgment rendered against him or her for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, State or local government transaction or public contract; violation of Federal or State antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;

(c) is presently indicted for or otherwise criminally or civilly charged by a Federal, State or local governmental entity with commission of any of the offenses enumerated in paragraph 9(b) of this certification; and

(d) has within a three-year period preceding this certification had one or more Federal, State or local government public transactions terminated for cause or default..

10. I(We), certify that I(We), shall not knowingly enter into any transaction with any subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this contract by any Federal Agency unless authorized by the Department.


Where I am unable to declare or certify as to any of the statements contained in the above stated paragraphs numbered (1) through (10), I have provided an explanation in the "Exceptions" portion below or by attached separate sheet.

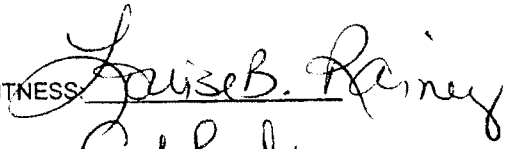
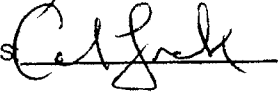
EXCEPTIONS:

(Any exception listed above will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted, indicate to whom it applies, initiating agency and dates of agency action.

Providing false information may result in criminal prosecution and/or administrative sanctions.)

I declare under penalty of perjury that the foregoing is true and correct.

CONTRACTOR: (Seal)
Encore Construction Company, LLC
BY: Patrick T. Rainey, President
NAME AND TITLE PRINTED
BY: 
SIGNATURE

WITNESS 
WITNESS 

Executed on this 28th day of October, 2010

**FAILURE TO FULLY COMPLETE AND EXECUTE THIS DOCUMENT
MAY RESULT IN THE BID BEING DECLARED NONRESPONSIVE**

FLORIDA TRENCH SAFETY ACT COMPLIANCE
Trench Excavation Safety System and Shoring

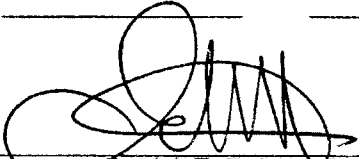
CERTIFICATION

All excavation, trenching, and related sheeting, bracing, etc. on this project shall conform to the requirements of the Florida Trench Safety Act (90-96, CS/SB 2626), which incorporates by reference, OSHA's excavation safety standards, 29 CFR 1926.650 Subpart P including all subsequent revisions or updates to these standards.

By submission of this bid and subsequent execution of this Contract, the undersigned certifies compliance with the above mentioned standards and further stipulates that all costs associated with this compliance are detailed below as well as included in their lump sum bid amount.

Summary of Costs:

Trench Safety Measure	Units	Quantity	Unit Cost	Extended Cost
A. <u>Extended Layback</u>	<u>LF</u>	<u>900</u>	<u>\$1.00</u>	<u>\$900.00</u>
B. _____	_____	_____	_____	_____


 Signature Patrick T. Rainey, President
October 28, 2010
 Date _____

STATE OF Florida
 COUNTY OF Orange

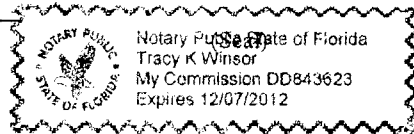
PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Patrick T. Rainey, who, after first being sworn by me affixed his /her signature in the space,

provided above on the 28th day of October, 2010.


 Notary Public

MY COMMISSION EXPIRES: 12/07/2012

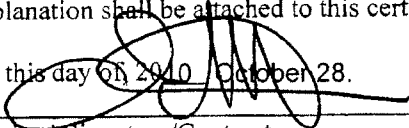


ATTACHMENT B: SUSPENSION AND DEBARMENT CERTIFICATION

CERTIFICATION REGARDING DEBARMENTS, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER FEDERALLY FUNDED TRANSACTIONS

1. The undersigned hereby certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. The undersigned also certifies that it and its principals:
 - (a) Have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - (b) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 2.(a) of this Certification; and
 - (c) Have not within a three-year period preceding this certification had one or more public transactions (Federal, State or local) terminated for cause or default.
3. Where the undersigned is unable to certify to any of the statements in this certification, an explanation shall be attached to this certification.

Dated this day ~~of~~ 2010 / October 28.

By  _____

Authorized Signature/Contractor

Patrick T. Rainey, President

Typed Name/Title

Encore Construction Company, LLC

Contractor's Firm Name

370 East Crown Point Road

Street Address

Building, Suite Number

Winter Garden, FL 34787

City/State/Zip Code

407-877-5903

Area Code/Telephone Number

Completed Projects 2005-2010

Client	Engineer	Project	Original Value	Final Value	Self Performed	Completion Date	Description
<p>City of North Port 4970 City Hall Boulevard North Port, FL 34286 Angel Carrasquillo P: 941-426-9500 F: 941-429-7173 Acarrasquillo@cityofnorthport.com</p>	<p>Brown & Caldwell 850 Trafalgar Court Maitland, FL 32751 Richard J. Persaud P: 407-661-9500 F: 407-661-9599</p>	<p>North Port WWTP Upgrades & Expansion</p>	<p>\$23,120,000</p>	<p>\$18,249,187</p>	<p>79%</p>	<p>June 8, 2010</p>	<p>Work included: two bar screens and odor control facilities, installation of lift station waste receiving facility, construction of 3 MLE reactor basins and modification of the flow regimes in the reactors, new internal mixed liquor recycle pumping system, one additional secondary clarifier, replace one secondary clarifier mechanism, new RASWAS pumps and deep bed filters, expand existing chlorine contact chamber, new standby emergency generator, automatic transfer switch and associated switch gear and install polymer feed system, etc.</p>
<p>City of Inverness 212 West Main Street Inverness, FL 34450 Tom Dick P: 352-726-2611 F: 352-726-0949 T Dick@inverness-fl.gov</p>	<p>Hoyle, Tanner & Associates 2424 N. Essex Avenue Hernando, FL Sam Kennedy, P.E. P: 352-527-2055 F: 352-527-2655 Skennedy@hoyletanner.com</p>	<p>City of Inverness WWTP Upgrades</p>	<p>\$13,150,000</p>	<p>\$9,508,059</p>	<p>74%</p>	<p>May 6, 2010</p>	<p>Work included: new Headworks Facilities, Aeration Tanks, four 40' diameter Clarifiers (rehabilitation of two existing units and installation of two new units); two Stainless Steel Rotating Disk Filters, Chlorination Tanks, Chemical Feed Facilities, Disinfection Facilities, Sludge Building and Treatment Equipment; all pumping equipment, underground and above ground piping and modifications to the Admin. Building.</p>
<p>City of Clermont 685 West Montrose Street Clermont, FL 34711 James Kinzler P: 352-241-0178 F: 352-241-0542 jkinzler@clermontfl.org</p>	<p>AECOM, Inc. 320 East South Street Orlando, FL 32801 Dwayne R. Kreidler, P.E. P: 407-425-1100 F: 407-422-3866 Dwayne.Kreidler@aecom.com</p>	<p>West Side WRF EQ Basin Modifications</p>	<p>\$1,203,550</p>	<p>\$1,038,850</p>	<p>65%</p>	<p>April 14, 2010</p>	<p>Conversion of existing WWTP into equalization basin & pump station. Installation included pumps, aeration system, generator and electrical building. Additionally, contract included removing all sludge and grit from old plant, demolishing old plant and restoring land to grassed area.</p>
<p>Toho Water Authority 951 Martin Luther King Jr. Blvd. Kissimmee, FL 34741 Deb Beatty P: 407-944-5023 F: 407-847-7945 dbeatty@kissimmee.org</p>	<p>Tetra Tech 201 East Pine Street, Suite 1000 Orlando, FL 32801 Jon Fox P: 407-839-3955 F: 407-839-3790 Jon.Fox@tetratech.com</p>	<p>Poinciana Water Reclamation Facility #2 Upgrade & Expansion Construction Manager at Risk</p>	<p>\$13,705,821</p>	<p>\$13,669,987</p>	<p>54%</p>	<p>May 28, 2010</p>	<p>The total project consists of expanding an existing 3.0 MGD wastewater treatment plant to a capacity of 7.0 MGD. Work released to date includes upgrading existing electrical wiring, installation of a 150' tall SCADA Communication Tower and a new 36" diameter Influent Force Main. Additional work to be released includes a pre-treatment facility expansion, Aeration Basin modifications, new Clarifiers, a new Blower and Electrical Building, new Filters, new Chlorine Contact Basins and expansion of the Reuse Water Storage and Pumping Systems.</p>

Completed Projects 2005-2010

Client	Engineer	Project	Original Value	Final Value	Self Performed	Completion Date	Description
<p>Clrus County BOCC 3600 W. Sovereign Path Ste 266 Lecanto, FL 34461 Ronald Bamer P: 352-527-5413 F: 352-527-5424</p>	<p>Hoyle, Tanner & Associates 2424 N. Essex Avenue Hernando, FL Eugene Forbe P: 352-527-2055 F: 352-527-2655</p>	Meadowcreek WWTP Expansion	\$14,140,000	\$11,132,740	70%	April 15, 2010	Work included the demolition of existing headworks, chlorine contact tanks, effluent holding tanks, effluent pumps, RAS/WAS pumps, sludge aeration tanks, blower building and vacuum assisted sludge dewatering beds, conversion of two 40' clarifiers into equalization tanks with floating mixers and return pumps, two new 65' final clarifiers, scum pump station, two rotating disk fillers, two chlorine contact tanks, reclaimed water pump station, two automatic samplers, one chemical storage tank, one chemical metering pump skid, chemical building, electrical building, control building, plant drain pump station, rehabilitation of an existing RIB, six new RIB's, three monitoring wells, three RAS pumps, two WAS pumps, new dewatering system with sludge grinder, sludge feed pump, polymer system and centrifuge.
<p>North Sumner Utilities 1020 Lake Sumter Landing The Villages, FL 32162 John W. "Trey" Arnett III P: 352-753-4747 F: 352-753-1296 T.Arnett@barnetteenvironmental.com</p>	<p>Farmer Barley & Associates 4450 NE 83rd Road Willowood, FL 34785 Robert Farmer P.E. P: 352-748-3126 F: 352-748-0823 Bfarmer@farmerbarley.com</p>	North Sumner Utility Water Treatment Plant Well No. 3	\$228,400	\$228,400	80%	February 25, 2010	Add one (1) potable water well and pump to existing water plant.
<p>Orange County BOCC 400 East South Street Orlando, FL 32801 Bill Hank P: 407-254-9786 F: 407-254-9999 Bill.Hank@ocfl.net</p>	<p>Black & Veatch Engineers 201 S. Orange Avenue Orlando, FL 32801 Brad VanLandingham P: 407-419-3500 F: 407-419-3501</p>	Orangewood & Hunters Creek WSF Improvements	\$3,760,000	\$3,802,247	47%	January 2010	Removal of 3 horizontal split case pumps, along with associated items; install finished water flow meter; construct new well pump discharge piping and provide new raw water flow meter at Well 1; abandonment of Well 2 with removal of pump; discharge piping, electrical feed and grouting of the well. Replace control system with a new PLC based control system and removal of various items at the plant site including a hydropneumatic tank & caustic soda building.
<p>Specialized Services, Inc. 11791 OG Skinner Drive, Suite 5 West Point, GA 31833 Ted Graham P: 706-645-4801 Ted.Graham@specializedservices.us</p>	<p>Farmer Barley & Associates 4450 NE 83rd Road Willowood, FL Robert Farmer, P.E. P: 352-748-3126 F: 352-748-0823 Bfarmer@farmerbarley.com</p>	Country Crossing Wastewater Treatment Facility	\$2,570,100	\$2,460,741	60%	December 1, 2009	Acting as a subcontractor on this project, Encore's work included installation of a 120,000 GPD DAVCO package steel plant including concrete slabs, blowers and air piping, installation of UV disinfection equipment, yard piping, effluent re-aeration, outfall piping, electrical work, an emergency generator and fuel tank.

Completed Projects 2005-2010

Client	Engineer	Project	Original Value	Final Value	Self Performed	Completion Date	Description
Peace River/Manasota Regional Water Supply Authority 6311 Afrum Drive, Suite 100 Bradenton, FL 34202 Patrick Lehman P: 941-316-7776 F: 941-316-1772 plennan@regionwater.org	AECOM, Inc. 5971 Cattleidge Boulevard Sarasota, FL 34240 Douglas Eckmann P: 941-377-8858 F: 941-371-2569 Deskmanr@aecom.com	Peace River Facility Expansion Contract 2 - WTP Expansion	\$75,149,742	\$61,387,521	52%	December 2009	Construction of new treatment units including PAC Contact Tanks, Rapid Mix Tanks, Solids Contact Units, Chlorine Contact Tanks, Filters, Ground Storage Tanks, Sludge Thickener and Belt Filter Press Dewatering, new Transfer, Recycle and North High Service Pump station and upgrades to existing River Reservoir and South High Service pump stations. Construction of a new support facility including chemical storage/feed, maintenance building, electrical systems and emergency generators.
CSC Applied Technologies, LLC 801 Clematis Street West Palm Beach, FL 33401 Dennis Manley P: 561-882-8566 Dennis.Manley@aufsec.navy.mil	Nelson Engineering Co. 5335 North Courtenay Parkway Meritt Island, FL 32953 David Ratliff P: 321-449-1128 F: 321-449-1195	AUTEC Wastewater Treatment Plant Repair Andros Islands, Bahamas	\$133,000	\$133,000	90%	August 7, 2009	Produce a design package for removal and replacement of the sludge collector and weir, and the sump motor control box, remove and dispose of the existing sludge collection system & provide and install a new sludge collection system, remove the existing weir and install the new weir and replace the existing sump motor control box, including conduit and wiring.
City of Winter Garden 251 West Plant Street Winter Garden, FL 34787 Donald Cochran P: 407-656-4100 F: 407-877-2363 Dcochran@wintergarden-fl.gov	AECOM, Inc. 320 East South Street Orlando, FL 32801 William Marshall P: 407-425-1100 F: 407-422-3866 Wmarrshall@aecom.com	Phase 1 Public Access Reuse Storage & Pumping Facilities	\$2,938,000	\$4,254,156	53%	May 2009	Work included new reclaimed water ground storage tank and high service pump station at the Fullers Cross WTP, containing one jockey pump and two high service duty pumps with space provided for fourth future pump. At the Crest Avenue site, a new effluent pump, two new chlorine sample pumps and two new chlorine residual analyzers were installed with appurtenances. A change order in the amount of \$1,316,156 was issued to Encore for the Design, Construction and Installation of a Sludge Dewatering Press and Building at the existing wastewater treatment plant in Winter Garden
Beaufort-Jasper Water Authority 6 Snake Road Okatie, SC 29910 Chris Petty P: 943-987-9223 F: 943-987-9283 ChrisP@bjwsa.org	Jordan Jones & Goulding 3955 Faber Place Drive North Charleston, SC 29405 Bill Westfall P: 843-747-5889 F: 843-747-8175	Cherry Point WRF Expansion Phase 3B	\$23,444,000	\$24,411,165	60%	February 27, 2009	This project expanded the existing facility from 4.4 to 7.5MGD. Work included construction of Bioreactor No. 3 tank, secondary clarifier No. 3, RAS/WAS Pump Station No. 2, Effluent Structure No. 2, and miscellaneous site structures with approximately 7,300 CY of concrete.

Completed Projects 2005-2010

Client	Employer	Project	Original Value	Final Value	Self Performed	Completion Date	Description
<p>City of Clermont 685 West Montrose Street Clermont, FL 34711 James Kinzler P: 352-241-0178 F: 352-241-0542 jkinzle@clermontfl.org</p>	<p>AECOM, Inc. 320 East South Street Orlando, FL 32801 Dwayne R. Kreidler P.E. P: 407-425-1100 F: 407-422-3866 Dwayne.Kreidler@aecom.com</p>	<p>East Side WRF Expansion Phase 2</p>	\$16,605,000	\$13,433,373	75%	February 14, 2009	<p>Work included: modification of existing preliminary treatment structure and aeration basins along with installation of a new Biofilter System, 2 Anoxic Basins, 2 Aeration Basins, new Mixed Liquor Splitter Box, two 65" diameter Secondary Clarifiers, a new RASWAS Pump Station, two Chlorine Contact Tanks, one bulk Sodium Hypochlorite Storage Tank, two 2MG Concrete Ground Storage Tanks, a new Vertical Turbine Can Pump Station for reclaimed water distribution, a new 6,000 SF Operations Building, a new 8,000 SF Metal Maintenance Building.</p>
<p>Orange County BOCC 400 East South Street Orlando, FL 32801 Troy Layton P: 407-254-3738 F: 407-954-9999 Troy.Layton@ocfl.net</p>	<p>CDM 2301 Mallard Center Parkway Maitland, FL 32751 Karen McCullen P: 407-660-2552 F: 407-875-1161</p>	<p>Orange County Master Pump Station Improvements - Group 2</p>	\$7,925,000	\$8,577,463	70%	January 2009	<p>Demolition of existing master pump stations, piping, electrical, and equipment at two sites. Installation of new master pump stations, piping, pumps, electrical, and odor control at 4 locations. Extensive structural repairs to existing pump stations and replacement of all equipment. Bypass pumping ranging from 12,000 gpm to 6,500 gpm at all sites in order to maintain operation of the pump stations. 4 locations: Pump Station 3498 (Orangewood East), Pump Station 3177 (7612 Presidents Drive), Pump Station 3411 (Northwest B, 5266 Clarcona Ocoee Road) and Pump Station 3038 (518 Hiwassee Road.)</p>
<p>Toho Water Authority 951 Martin Luther King Jr. Blvd. Kissimmee, FL 34741 Quyen Newell P: 407-518-2261 F: 407-847-7945 Qnewell@tohowater.com</p>	<p>Tetra Tech 201 E. Pine Street, Suite 1000 Orlando, FL 32801 Jon Fox P: 407-839-3955 F: 407-839-3790 Jon.Fox@tetratech.com</p>	<p>Poinciana WRF #5 Upgrade & Re-rating Expansion to 1.5MGD Construction Manager at Risk</p>	\$1,142,230	\$1,142,230	71%	November 2008	<p>This project upgraded the existing package treatment plant from 1.0 MGD to 1.5 MGD. The aeration system was upgraded to a Fine Bubble Diffusion process. The work included modifications to the existing Aeration Piping, Submersible Mixers, Flow Equalization Pumps, Chemical Feed Systems and Electrical and Instrumentation systems.</p>

Completed Projects 2005-2010

Client	Engineer	Project	Original Value	Final Value	Self Performed	Completion Date	Description
Village Center Comm. Dev. District 3231 Weigwood Lane The Villages, FL 32159 John W. Trey Amet, III P: 352-753-4747 F: 352-753-1296 T.ametj@arnnetenv.com	Famer Bailey & Associates 4450 NE 83rd Road Wildwood, FL 34785 Robert Famer, P.E. P: 352-748-3126 F: 352-748-0823 Bfamer@famerbailey.com	LSSA Water Treatment Plant #2 Second Well	\$268,146	\$335,224	80%	September 25, 2008	Add one (1) potable water well and pump to existing water plant.
City of Plant City 302 West Reynolds Street Plant City, FL 33563 Frank Coughenour, P.E. P: 813-757-9191 F: 813-757-9192 fcoughenour@plantcitygov.com	Malcolm Pirnie 1300 East 8th Avenue Tampa, FL 33605 Ed Balchon P: 813-248-6900 F: 813-248-8085	Plant City WRF Construction Manager at Risk	\$38,980,255	\$39,046,696	66%	June 27, 2008	12 MGD expansion and upgrade including the construction of new Aeration and Anoxic Basins, three Final Clarifiers, RAS/WAS Pump Station, Filter Addition, Chlorine Contact Basins expansion, a Ground Storage Tank, Blower Building and Administration Building. Process improvements include new Electrical, Instrumentation, High Service Reuse Pumps and Belt Filter Press Modifications.
Parkson Corporation 2727 NW 62nd Street Fort Lauderdale, FL 33340 Louis E. LeBrun, P.E. P: 954-974-6610 F: 954-974-6182 LLeBrun@parkson.com	Hole Montes 950 Encore Way Naples, FL 34110 Clifford Pepper P: 239-254-2000 F: 239-254-2099	Port of the Islands MBR Upgrade	\$710,000	\$723,853	67%	January 28, 2008	Install pre-assembled MBR skids; Circulation RAS, Permeate, Backwash, and Chemical Pumps; Concrete Slabs, pre-engineered canopy, Rotomesh Screen Assembly, site and process piping and landscaping.
FGUA 280 Wekiva Springs Rd., Ste 2000 Longwood, FL 32779 Pradeep Sethi P: 407-629-6900 F: 407-629-6963	URS Corporation 7650 W. Courtney Causeway Tampa, FL 33607 David Burgstiner P: 813-636-2107 F: 813-286-6587	Lehigh Acres WWTP Phase 1 Improvements	\$5,897,000	\$7,180,919	70%	December 2007	Expansion of an existing treatment plant, including upgrading Influent Pump Station, Aerated Grit Tank Equipment & Appurtenances, Aerated Flow Equalization Tank Equipment & Appurtenances, Flow Equalization Pump Station & Appurtenances, 1.0 MGD Contact Stabilization Treatment Unit & Appurtenances, Traveling Bridge Filters and miscellaneous site work, yard piping, electrical work, etc.

Completed Projects 2005-2010

Client	Project Name	Project Value	Project Value	Percent Performed	Completion Date	Description
<p>City of Lake Wales 201 Central Avenue West Lake Wales, FL 33853 Ray Creel P: 863-678-4182 F: 863-678-4634</p>	<p>Mittauer & Associates 580-1 Wells Road Orange Park, FL 32003 Tim Norman P: 904-278-0030 F: 907-278-0840</p>	\$2,170,000	\$2,105,277	50%	December 2007	<p>Lake Wales Fire Flow Design / Build</p> <p>Design/Build - Installation of a Fire Protection System for Lake Wales Airport. Work included one 15" well, 1 000' deep that meets Potable Water Standards, one 400,000 gallon steel storage tank and one Fire Pumping Skid with three 60" hp pumps. The water was distributed through 2,600 ft of 16" force main and eight fire hydrants.</p>
<p>City of Minneola 302 Pearl Street Minneola, FL 34755 Mark O'Dell P: 352-536-4485 F: 352-394-0051 MO.Dell@minneola.us</p>	<p>PBS & J 482 South Keller Road Orlando, FL 32810 Raj Singh P: 407-227-6925 F: 407-647-0624 R.singh@pbst.com</p>	\$9,500,000	\$8,384,482	70%	December 3, 2007	<p>Minneola Wastewater Reclamation Facility</p> <p>Original contract consisted of a .50 MGD Kruger Oxidation Ditch activated sludge process treatment facility (expandable to 1.0MGD). Work included pretreatment structure, Disk filters, chlorine contact tank, sludge holding tank, sludge thickener and loading station, public access reuse storage tank, rapid infiltration basins and an operations and maintenance building. Change order added two 70" diameter Clarifiers and other modifications to make capacity 1.0 MGD</p>
<p>Loxahatchee River District 2500 Jupiter Park Drive Jupiter, FL 33458 Rick Dent or Clint Yerkes P: 561-747-5700 F: 561-747-9929</p>	<p>Hazen & Sawyer 2101 Corporate Blvd., Suite 301 Boca Raton, FL 33431 Dan Burden P: 561-997-8070 F: 561-997-8159</p>	\$22,400,000	\$19,621,476	75%	September 2007	<p>Loxahatchee River District WWTP Expansion & Upgrade</p> <p>Expansion of existing facility by adding one Clarifier, two Equalization Tanks, one Sludge Storage one Backwash Recovery Tank and one Chlorine Contact Tank. Staged replacement of Pure Oxygen Basin with Compressed Air Fine Bubble Diffusion Aeration Basins (3). Electrical and Instrumentation systems were also completely replaced.</p>

Completed Projects 2005-2010

Client	Contractor	Project	Original Value	Final Value	Percent Completed	Completion Date	Description
<p>Pasco County BOCC 89-9 Government Drive New Port Richey FL 34654 Pete Porebski P: 727-847-8145 F: 727-847-8065 P.porebski@pascocountyfl.net</p>	<p>C & D Engineering, Inc. 3910 Northdale Blvd., Suite 170 Tampa, FL 33624 Kurt Heath P: 813-269-9777 F: 813-269-9776</p>	<p>Wesley Center Subregional Reuse Facility Expansion</p>	\$18,520,000	\$24,569,696	80%	August 31, 2007	<p>Expansion of existing facility from 3.0 MGD to 6.0 MGD. Work included Channel Screen, Grit Chamber Odor Control System, two Anoxic Basins with Submersible Mixers, two Aeration Basins with Fixed Vertical Shaft Aerators and Recycle Pumps, one Duplex Recycle Pump Station, two 80' diameter Clarifiers, four Duplex Deep Bed Dual Media Filters, two 70' diameter Sludge Holding Basins with Floating Surface Aerators, one 80' diameter Gravity Thickener 3,100 sq. ft. Metal Dewatering Building with Belt Filter Press and Conveyors and two Expanded and Lined Reject Ponds.</p>
<p>Hendry County BOCC 25 E. Hickpouchee Avenue LaBelle, FL 33935 Roger Greer P: 863-675-5376 F: 863-675-5317 R.greer@hendryfla.net</p>	<p>Craig A. Smith & Associates 1000 W. McNab Road, Suite 200 Pompano Beach, FL 33069 Bill Sitow P: 954-782-8222 F: 954-786-8927</p>	<p>Port LaBelle Membrane Water Treatment Plant</p>	\$5,550,000	\$5,957,451	80%	August 2007	<p>This was a 900,000 GPD project, expandable to 1.8 MGD. Work included: one Metal Building, two Well Pumps, Raw Water Piping, Septic Tank, Drainfield, Floor Drain Lift Station, Concrete Clearwell with Degasser and Transfer Pumps, Water Piping from Membrane Building to Clearwell and Degasser, Water Piping from Transfer Pumps to Ground Storage Tank, piping for Clearwell, Concentrate Pumping, complete Anti-Scalant Chemical Feed System with Chemical Feed Pump Skids, Chemical Feed System, Caustic Chemical Feed System, Liquid Chlorine Chemical Feed System, Prefilter, Reverse Osmosis Membrane System, Membrane Building, Motor Control Center, High Service Pumps and associated pipes, valves, appurtenances and landscaping.</p>

Completed Projects 2005-2010

Client	Project Name	Value	Percentage	Completion Date	Description
<p>City of Orlando 400 S. Orange Avenue, 2nd Floor Orlando, FL 32801 Al Campbell P: 407-246-3758 F: 407-246-8292 Al.Campbell@ci.orlando.fl.us</p>	<p>Local Reuse Pump Station #2650</p>	\$1,239,000	85%	August 2007	<p>This project included converting existing Tank No. 2 to a reclaimed water storage tank and connection of Equalization Tank No. 2 to the reclaimed main water system including a new reclaimed water main from Equalization Tank No. 2 to the Local Reuse Pumping Station. Also included was installation of a 16" reclaimed water main from Transmission Pump Station to the Local Reuse Pumping Station. Installation of motorized valves, with associated electrical work was also done, along with communication between the valves and the PLC located at the Chemical Building.</p>
<p>Coca-Cola North America 2659 W. Orange Avenue Apopka, FL 32703 Tim Goodwin P: 407-884-1083 F: 407-884-9726</p>	<p>CCNA / Minute Maid Wastewater Treatment Plant</p>	\$1,739,530	90%	August 2007	<p>Construction of a new 0.2 MGD Waste Water Treatment Plant. Includes a 140 ft by 45 ft common-wall concrete tank containing a covered Equalization Basin, Upflow Anaerobic Sludge Blanket Reactor (UASB) system, and a three-section Immobilized Cell Bioreactor (ICB). Also includes a pre-engineered Control & Lab Building, and an engineered metal canopy to cover ancillary equipment and piping including a DAF unit, boiler, heat exchanger, degassing tower, biofilter, chemical system and various process pumps.</p>
<p>City of Groveland 156 South Lake Avenue Groveland, FL 34736 Chuck Mack P: 352-267-3643 F: 352-429-8246 Chuck.Mack@groveland-fl.gov</p>	<p>Sampey Road Wastewater Treatment Plant Expansion</p>	\$7,180,000	65%	June 12, 2007	<p>Work included: influent structure with stair screen and washing press; two .05 MGD oxidation ditches with 100 HP aerators with integral anoxic chambers; two 55-foot diameter clarifiers; RAWWAS Pump Station, two Disc Filter Units, Chlorine Contact Chamber, new Chlorination Facilities; two Vertical Turbine Effluent Pumps with VFD's; In-Plant Pump Stations; Alum Feed System; conversion of existing Biological Treatment Units to Aerobic Digesters; 1.0 MGD offsite Reuse Ground Storage Tank; yard piping; sitework and electrical/instrumentation including new emergency generator.</p>

Completed Projects 2005-2010

Client	Contractor	Project Name	Amount	Completion Date	Description	
Shamrock Homes 2100 Lake Eustis Drive Tavares, FL 32778 Ben Driver P: 352-253-5301 F: 352-434-7378	B.E.S.H. 4450 NE 83rd Road Tavares, FL 32778 Rob Ern P: 352-748-3126 F: 352-748-0823 Reim@besandh.com	Caroline Influent Screen Modification	\$253,000	80%	June 11, 2007	Furnish and install a new Influent Screen including associated new ductile iron pipe and valves, platform and stairs, concrete pad and electric tier to existing Motor Control Center Room.
Villages Water Conservation Auth. 1894 Laurel Manor Drive The Villages, FL 32162 John W. "Trey" Arnett, III P: 352-753-4747 F: 352-753-1296 Tarnett@arnetteenvironmental.com	Farmer Bailey & Associates 4450 NE 83rd Road Wildwood, FL 34785 Robert Farmer, P.E. P: 352-748-3126 F: 352-748-0823 Blarner@farmerbailey.com	VWCA's Chlorination	\$74,300	80%	November 27, 2006	Construction of automatic chlorination systems at six existing VWCA Irrigation Pump Stations.
Fripp Island Public Service District 291 Tarpon Boulevard Fripp Island, SC 29920 Marion "Ernie" Wilson P: 843-838-2400 F: 843-838-4900 ErnieWilson@fisd.org	Hussey Gay, Bell & DeYoung 625 Green Street Gainesville, GA 30501 Bob Wheelchel P: 770-535-1133 F: 770-535-1134	Fripp Island Wastewater Treatment Plant Expansion	\$5,245,000	80%	October 30, 2006	This project consisted of three phases. First phase included laying 2750' of ductile iron yard piping up to 18" diameter, installing and placing in service two Pump Stations, demolishing the existing concrete lagoon and construction of a new Effluent Storage Pond. Second phase involved building a new Treatment Plant, Encore placed 1,600 cubic yards of concrete and placed 180 tons of rebar. The new Plant contains new Blowers, four Aeration Bays, Equalization Pumps, an Aerated Grit Removal System, Bandscreens, Membrane Filtration Units and an Ultraviolet Disinfection Unit. The final phase of the project was the demolition of the existing plant.
Villages Water Conservation Auth. 1100 Main Street The Villages, FL 32159 John W. "Trey" Arnett, III P: 352-753-4747 F: 352-753-1296 Tarnett@arnetteenvironmental.com	Farmer Bailey & Associates 4450 NE 83rd Road Wildwood, FL 34785 Robert Farmer, P.E. P: 352-748-3126 F: 352-748-0823 Blarner@farmerbailey.com	VWCA Irrigation Pump Station #4 and Duval E Pump Station	\$1,915,000	75%	October 15, 2006	6,500 GPM Irrigation pump station and 3,200 GPM golf course irrigation pump station.

Completed Projects 2005-2010

Client	Project Name	Objective	Original Value	Final Value	Self-Performed	Completion Date	Description
Orange County BOCC 400 East South Street 2nd Floor Orlando FL 32801 Patty Hobbs P: 407-836-5456 F: 407-836-5899	CPH Engineers 1117 East Robinson St., Suite C Orlando, FL 32801 Jay Morris P: 407-425-0452 F: 407-648-1036	Northwest WRF Internal Recycle & RAS Pump Replacement	\$1,128,000	\$1,128,000	70%	February 8, 2006	Replacement of four Internal Re-Circulation Pumps, three Return Activated Sludge Pumps and provide housing for Variable Frequency Drive and other Electrical controls.
Orange County FL Division of Public Utilities 9150 Curry Ford Road Orlando, FL 32825 Troy Layton P: 407-254-9798 F: 407-254-9999 Troy.Layton@ocfl.net	Black & Veatch Engineers 201 S. Orange Avenue Orlando, FL 32801 Brad VanLandingham P: 407-419-3500 F: 407-419-3501	Eastern Regional Water Supply Facility - Phase 2B Expansion	\$21,200,000	\$22,216,070	70%	May 12, 2006	Treatment expansion to 40 MGD of the existing facility as well as the addition of 8 new Forced Draft Aerators. Work included: four new Two-Stage Air Quality Control Units and two additional Transfer Pumps with Variable Frequency Drives. Installation of an on-site Sodium Hypochlorite Generation System to replace existing gas chlorination system. Additional work included a 5 MG Ground Storage Tank, a Fluoride Feed System, two additional High Service Pumps, two Existing Pumps Cans and an additional Carb System Feed Panel and Injections Point.
City of Orlando 400 S. Orange Avenue, 2nd Floor Orlando, FL 32801 Robert Cadle P: 407-246-2291 F: 407-246-2869	Parsons, Brinckerhoff, Quade & Douglas 100 East Pine Street, Suite 500 Orlando, FL 32801 Douglas Pickett P: 407-587-7800 F: 407-587-7960	Tarmac-America Reclaimed Water Extension	\$1,548,037	\$1,646,891	95%	April 2006	Provide, construct, test and make ready for service all elements of the construction of the reclaimed water main to Tarmac and new turnout 81-08 in Eastern Lake County. Work included 12,300 lf of 20" Ductile Iron Pipe Reclaimed Water Line and all mechanical, civil, electrical and instrumentation elements associated with constructing new Turnout and new Surge Facility.
Collier County FL Public Utilities 3301 Tamiami Trail East Naples, FL 34112 Peter Schmitt P: 239-252-5343 F: 239-530-5378 Peter.Schmitt@collier.gov.net	Hazen & Sawyer 2101 NW Corporate Blvd., Ste. 301 Boca Raton, FL 33431 John Koroshec P: 561-997-8070 F: 561-997-8159	Hawthorne Zone 1 Wells and Appurtenances	\$1,690,000	\$1,211,541	80%	March 2006	Landscaping and furnishing and installing irrigation systems at Zone 1 Wells RO114N, RO-115N & RO-116N. Also installation of fiber optic conduit and/or cable, PLC's for modifications to the Hawthorn Wellfield Telemetry System. Also mobilization, demobilization, site prep, mechanical, instrumentation, electrical, structural, and other work required to complete the Appurtenances for Zone 1 Wells.

Completed Projects 2005-2010

Client	Project Name	Contract Value	Completion Date	Description
Ginn-LA Pine Island Ltd, LLLP 215 Celebration Place, Suite 200 Celebration, FL 34747 Thomas McCarthy P: 321-939-4700 F: 321-939-4800	Boyd Environmental 166 Lookout Place, Suite 200 Maitland, FL 32751 Jim Boyd P: 407-645-3886 F: 407-645-1199	\$3,480,500	December 13, 2005	Pine Island WTP & WWTP
Collier County FL Public Utilities 3301 Tamiami Trail East Naples, FL 34112 Peter Schall P: 239-252-5343 F: 239-530-5378 PeterSchall@collier.gov.net	Hazen & Sawyer 2101 NW Corporate Blvd., Ste. 301 Boca Raton, FL 33431 Kurt Pfeiffer P: 561-997-4070 F: 561-997-8159	\$24,861,000	November 1, 2005	North County WRF Expansion to 24.1 MGD Liquid Stream
City of Rockledge 1600 Huntington Lane Rockledge, FL 32955 Jim Elmore P: 321-690-3975 F: 321-690-3998	Jones Edmunds & Associates 1100 Cesary Boulevard Jacksonville, FL 32211 Brian Heppburn P: 321-269-2950 F: 321-269-2951	\$305,890	September 1, 2005	Reuse Expansion Phase 7
City of Winter Garden 251 West Plant Street Winter Garden, FL 34787 Donald Cochran P: 407-656-4100 F: 407-877-2363 Dcochran@wintergarden-fl.gov	Hartman & Associates 201 E. Pine Street Orlando, FL John Toomey P: 407-839-3955 F: 407-839-3790	\$414,000	July 2005	Winter Garden Ponds
Collier County Purchasing Dept. 3301 East Tamiami Trail Naples, FL 34112 Lyn M. Wood P: 239-774-8407 F: 239-732-0844	Hole Montes 950 Encore Way Naples, FL 34110 Clifford Pepper P: 239-254-2000 F: 239-254-2099	\$72,500	July 2005	Sodium Hypochlorite Feed Facility Piping Modifications
		\$3,724,673	80%	
		\$25,989,146	80%	
		\$305,890	75%	
		\$414,000	90%	
		\$72,500	80%	

Completed Projects 2005-2010

Client	Contractor	Project Name	Project Location	Project Value	Completion Date	Description
<p>City of Tavares 201 East Main Street Tavares, FL 32778 Brad Hayes P: 352-742-6225 F: 352-742-6397</p>	<p>Farmer Bailey & Associates 4450 NE 83rd Road Wildwood FL 34785 Robert Farmer, P.E. P: 352-748-3126 F: 352-748-0823 Blairne@farmerbailey.com</p>	<p>Woodlea Road WRF Expansion & Caroline Street Pump Station</p>	<p>\$10,425,000</p>	<p>\$11,562,357</p>	<p>July 13, 2005</p>	<p>Construct a 2 MGD expansion to existing treatment facility including Headworks, Oxidation Ditch, two Clarifiers, Effluent Filters, Digester, Belt Filter Press and various other support items. Rehabilitation of existing equipment and demolition.</p>
<p>City of Rockledge 1600 Huntington Lane Rockledge, FL 32955 Allan LaDuke P: 321-690-3978 F: 321-639-1065</p>	<p>James Edmunds & Associates 730 NE Waldo Road, Bldg. A Gainesville, FL 32641 Steve Yeats P: 352-377-3621</p>	<p>Rockledge Reuse System Expansion - Phase VII</p>	<p>\$502,000</p>	<p>\$504,491</p>	<p>June 2005</p>	<p>Work included demolition, site work, concrete, Pump Station Installation, Piping & Electrical at the Florida Fire House #3 Booster Pump Station and the Rockledge Florida Reuse System Improvements. Phase VII including approximately 4,000 lf of 8" 510 lf of 6" and 160 lf of 12" reclaimed water distribution pipeline, valves, fittings, asphalt pavement, concrete sidewalk replacement, testing and all work required for a complete and operable reclaimed water distribution system.</p>
<p>Collier County FL Public Utilities 3301 Tamiami Trail East Naples, FL 34112 Peter Schall P: 239-252-5343 F: 239-530-5378 PeterSchall@collier.gov.net</p>	<p>Greeley & Hansen 4415 Metro Parkway, Suite 200 Fort Myers, FL 33916 Thomas Moore P: 239-226-9660 F: 239-226-9663</p>	<p>Goodland Water Booster Pump Station Upgrade</p>	<p>\$690,000</p>	<p>\$706,212</p>	<p>April 2005</p>	<p>Replacement of 4 Turbine Booster Pumps, installation of new Fuel Tank and pad, new Electrical room, new Variable Frequency Drives, block masonry work, related electrical work and job site improvements.</p>
<p>The Villages of Lake Sumter Inc. 1100 Main Street The Villages, FL 32159 John W. "Trey" Amett III P: 352-753-4747 F: 352-753-1296 Tarnett@arnetteenvironmental.com</p>	<p>Farmer Bailey & Associates 4450 NE 83rd Road Wildwood, FL 34785 Robert Farmer, P.E. P: 352-748-3126 F: 352-748-0823 Blairne@farmerbailey.com</p>	<p>Hemingway & Key Largo Golf Course Irrigation Pump Stations</p>	<p>\$1,150,000</p>	<p>\$1,334,400</p>	<p>April 1, 2005</p>	<p>Installation of two (2) irrigation pump stations at golf courses in The Villages, Florida, including piping and appurtenances.</p>
<p>Villages Water Conservation Auth. 1100 Main Street The Villages, FL 32159 John W. "Trey" Amett III P: 352-753-4747 F: 352-753-1296 Tarnett@arnetteenvironmental.com</p>	<p>Farmer Bailey & Associates 4450 NE 83rd Road Wildwood, FL 34785 Robert Farmer, P.E. P: 352-748-3126 F: 352-748-0823 Blairne@farmerbailey.com</p>	<p>VWCA Irrigation Pump Station #7</p>	<p>\$1,120,000</p>	<p>\$1,225,152</p>	<p>March 2005</p>	<p>Non-potable/storm water irrigation pump station utilizing three vertical turbine, VFD driven high service pumps, including influent and discharge and custom wet wells, total capacity 6,500 gpm</p>

Completed Projects 2005-2010

Client	Engineer	Project	Original Value	Final Value	Self Performed	Completion Date	Description
Manatee County Purchasing 1112 Manatee Ave., West, Ste. 803 Bradenton, FL 34205 Robert Steele P. 941-749-3053 F. 941-749-3054	McKim & Creed 601 Cleveland Street, Suite 205 Clearwater, FL 33755 Ron Kaser P. 727-442-7196 F. 727-461-3827	Lake Manatee WTP Sludge Dewatering Improvements	\$1,890,000	\$1,890,000	75%	February 2005	Installation of a Prestressed Concrete Tank and Lime Sludge Thickener plus associated Valves and Piping.



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD
1940 NORTH MONROE STREET
TALLAHASSEE FL 32399-0783

(850) 487-1395

RAINEY, PATRICK TRACY
ENCORE CONSTRUCTION COMPANY LLC
PO BOX 771599
WINTER GARDEN FL 34777-1599

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Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers.

Official license stamp for Patrick Tracy Rainey, Encore Construction Company LLC, AC# 5021376, expires 07/02/10. Includes text: IS CERTIFIED under the provisions of Ch. 489 FS, Expiration date: AUG 31, 2012.

DETACH HERE

AC# 5021376

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L10070201146

Table with 3 columns: DATE, BATCH NUMBER, LICENSE NBR. Row 1: 07/02/2010, 100006700, CGC1517618

The GENERAL CONTRACTOR Named below IS CERTIFIED Under the provisions of Chapter 489 FS. Expiration date: AUG 31, 2012

RAINEY, PATRICK TRACY
ENCORE CONSTRUCTION COMPANY LLC
370 EAST CROWN POINT ROAD
WINTER GARDEN FL 34787

CHARLIE CRIST
GOVERNOR

CHARLIE LIEM
INTERIM SECRETARY

DISPLAY AS REQUIRED BY LAW



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD
1940 NORTH MONROE STREET
TALLAHASSEE FL 32399-0783

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RAINEY, PATRICK TRACY
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STATE OF FLORIDA AC# 5021583
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CUC1224749 07/02/10 100006700
CERT UNDERGROUND & EXCAV CNTR
RAINEY, PATRICK TRACY
ENCORE CONSTRUCTION COMPANY LLC
IS CERTIFIED under the provisions of Ch.489 FS
Expiration date: AUG 31, 2012 L10070201349

DETACH HERE

AC# 5021583

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L10070201349

Table with 3 columns: DATE, BATCH NUMBER, LICENSE NBR. Row 1: 07/02/2010, 100006700, CUC1224749

The UNDERGROUND UTILITY & EXCAVATION CD
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2012

RAINEY, PATRICK TRACY
ENCORE CONSTRUCTION COMPANY LLC
370 EAST CROWN POINT ROAD
WINTER GARDEN FL 34787

CHARLIE CRIST
GOVERNOR

CHARLIE LIEM
INTERIM SECRETARY

DISPLAY AS REQUIRED BY LAW

October 28, 2010

The City of Key West
525 Angela Street
Key West, FL 33040

Re: ITB#11-002
Headworks Modifications at the Richard A. Heyman Environmental Protection
Facility
CH2M Hill Project No. 402868 City of Key West Project No. SE0903

To Whom It May Concern,

In accordance with 002113, page 8, Article 17, Encore Construction Company, LLC will perform excavation, grading, backfilling, underground piping installation, dewatering, concrete work, mechanical piping installation, process equipment installation, and bypass pumping, with our own forces. The total of these work items is estimated to have an approximate value of two million five hundred thousand dollars (\$2,500,000.00).

Sincerely,

ENCORE CONSTRUCTION COMPANY, LLC