

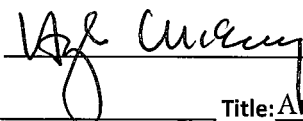
**SECTION VI.  
BIDDER CHECKLIST**

This checklist is provided to assist each Bidder in the preparation of their bid response. Included in this checklist are important requirements, which is the responsibility of each Bidder to submit with their response in order to make their response fully compliant. This checklist is only a guideline it is the responsibility of each Bidder to read and comply with the Invitation to Bid in its entirety.

- ☒ 1. Carefully read and become familiar with the Instructions to Bidders, General Provisions, Special Conditions and Technical Provisions, Permits, Inspections Reports, Surveys and Insurance Requirements.
- ☒ 2. Fill out and sign **Bid Form (acknowledge addenda, bond information, subcontractors and suppliers, if applicable).**
- ☒ 3. Fill out **Bid Price Schedule (unit prices must be filled in every block).**
- ☒ 4. Fill out and sign the **Statement of Organization** and have it properly notarized.
- ☒ 5. Provide **State of Florida Registration (<http://www.sunbiz.org/search.html>)**
- ☒ 6. Fill out and sign the **Non-Collusive Affidavit** and have it properly notarized.
- ☒ 7. Fill out and sign the **Conflict of Interest Form**
- ☒ 8. Fill out the **Reference Form**
- ☒ 9. Fill out and Sign the **Vendor Drug Free Workplace Form.**
- ☐ 10. Fill out and sign the **"Local Business Affidavit" or "North Port Local Business Affidavit"** (not applicable for this project)
- ☒ 11. Fill out and sign **Public Entity Crime Information**
- ☒ 12. Fill out and sign **No Lobbying Affidavit**
- ☒ 13. Provide **USB drive (pdf of submittal)**
- ☒ 14. Fill out and sign the **SWORN STATEMENT: THE FLORIDA TRENCH SAFETY ACT**
- ☒ 15. Provide **any additional documentation requested** within the Bid Document.
- ☒ 16. **Submit ONE (1) Original AND ONE (1) Copy of submittal.**
- ☐ 17. **CREDIT CARDS** Does your company accept Credit Card Payments? (Credit card payments will be processed upon the City's inspection and acceptance of goods/services and receipt of invoice for payment. The City will not pay fees for credit card transactions). ☐ YES ☒ NO
- ☒ 18. Clearly mark the sealed bid with the **BID NUMBER AND BID NAME** on the outside of the package.

City of North Port  
Finance Department/Purchasing Division  
Alla V. Skipper, Senior Contract Administrator  
4970 City Hall, Suite 337  
North Port, Florida 34286  
RFB NO. 2018-33- 2018 Routine Road Maintenance Project

Date: 1/22/18

Signed (Person authorized to bind the company):   
Name (printed): Angelia McElroy Title: Authorized Employee

**(THIS PAGE MUST BE COMPLETED AND SUBMITTED)**  
**BID FORM**

Name of Bidder: Preferred Materials, Inc.  
Business Address: 5701 . Hillsborough Ave. Suite 1122  
Tampa, Florida 33610  
Telephone Number: 813-612-5740 Fax Number: 813-664-8526  
E-mail Address: Angelia McElroy  
See attached Letter from Florida  
Contractor License #: State Attorney General FEID #: 58-1401468

To the City Commission of the City of North Port pursuant to and in compliance with your notice inviting sealed bids (Invitation to Bid), Instructions to Bidders, and the other documents relating thereto, the undersigned bidder, having familiarized himself/herself with the terms of the Contract documents, local conditions affecting the performance of the Contract, and the cost of the work at the place where the work is to be done, hereby proposes and agrees to perform within the time stipulated in the Contract, including all of its component parts and everything required to be performed, and to provide and furnish any and all of the labor, material, tools, expendable equipment, and all utility and transportation services and design of certain items necessary to perform the Contract and complete in a workmanlike manner, all of the work required in connection with the construction of said work all in strict conformity with the plans and specifications and other Contract documents for the prices hereinafter set forth.

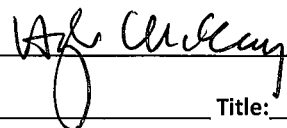
The undersigned, as bidder, does hereby declare that he has read the Request for Bids, Instructions to Bidders, General Provisions, Special Provisions, Technical Specifications & Conditions, Insurance Requirements, Bid Form, Permit Fees, Plan Revisions, Plans, Schematics and any other documentation for: **RFB NO. 2018-33 2018 ROUTINE ROAD MAINTENANCE PROJECT** and further agrees to furnish all items listed on the attached Bid Form in accordance with the Unit prices in the line items as indicated on the bid schedule form submitted. The above specified documents are herein incorporated into the Bid Form.

The undersigned as bidder, declares that the only persons or parties interested in this submittal as principals are those named herein; that this submittal is made without collusion with any person, firm, or corporation; and he/she proposes and agrees, if the proposal is accepted, that he/she will execute a Contract with the City in the form set forth in the Contract documents and that he/she will accept in full payment thereof the following prices, to wit:

**TOTAL BID PRICE:**

Four Million, Eight Hundred Ninety Two Thousand,  
One Hundred Thirty Two Dollars, and Ninety Eight Cents      \$ 4,892,132.98  
**(TYPE/PRINT)**      **(NUMERIC)**

Through the signing of this Bid Form, Bidder attests his/her bid is guaranteed for a period of not less than **NINETY (90) DAYS** from the date of the official bid opening.

Date: 1/22/18  
Signed (Person authorized to bind the company):   
Name (printed): Angelia McElroy Title: Authorized Employee

**THIS PAGE MUST BE COMPLETED AND SUBMITTED**

The undersigned acknowledges receipt of the following addenda, and the cost, if any, of such revisions has been included in the bid price.

Addendum No.	1	Dated	1/18/18	Addendum No.		Dated	
Addendum No.		Dated		Addendum No.		Dated	
Addendum No.		Dated		Addendum No.		Dated	
Addendum No.		Dated		Addendum No.		Dated	

**BID BOND AND PERFORMANCE/PAYMENT BOND**


**BID BOND: ACCOMPANYING THIS PROPOSAL IS** (insert: "cash", "bidder's bond", or "certified check", as the case may be) in an amount equal to at least 5% of the total amount of the bid, payable to the City of North Port. Cashier's checks will be returned to all bidders after award of bid.

The undersigned deposits the above-named security as a proposal guarantee and agrees that it shall be forfeited to the City as liquidated damages in case this proposal is accepted by the City and the undersigned fails to execute a contract with the City as specified in the contract documents accompanied by the required labor and material and faithful performance bonds with sureties satisfactory to the City, and accompanied by the required certificates of insurance coverage. Should the City be required to engage the services of an attorney in connection with the enforcement of this bid, bidder promises to pay City's reasonable attorneys' fees incurred with or without suit.

The undersigned agrees, if awarded this bid, to furnish a Performance and Payment Bond in the amount of 100% of the total project price within ten (10) calendar days after notification of award to the Purchasing Department. The undersigned shall be responsible and bear all costs associated to record Performance and Payment Bond with Sarasota County Clerk's Office. Receipt of said recording and a certified copy of the Bond shall be furnished to the Purchasing Division at the time of the pre-construction meeting.

**All contract documents (i.e.; performance and payment bond, cashier's check, bid bond) shall be in the name of "City of North Port".**

Date: 1/22/18

Signed (Person authorized to bind the company): 

Name (printed): Angelia McElroy Title: Authorized Employee

**THIS PAGE MUST BE COMPLETED AND SUBMITTED**

**BID BOND**KNOW ALL BY THESE PRESENTS, That we, Preferred Materials, Inc.of 5701 E. Hillsborough Ave., Tampa, FL 33610(hereinafter called the Principal), as Principal, and Federal Insurance Company

(hereinafter called the Surety), as Surety are held and firmly bound unto

City of North Port

(hereinafter called the Obligee) in the penal sum of

Five Percent of Amount BidDollars ( 5% )

for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has submitted or is about to submit a proposal to the Obligee on a contract for

City of North Port 2018 Routine Road Maintenance - Bid Number 2018-33-0-2018/AS

NOW, THEREFORE, If the said Contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the Contract in writing, and give bond, if bond is required, with surety acceptable to the Obligee for the faithful performance of the said Contract, then this obligation shall be void; otherwise to remain in full force and effect.

Signed and sealed this 22nd day of January, 2018.Susan Hibbard

Witness

Preferred Materials, Inc.

(Seal)

Principal

Angelina McElroy, Authorized Employee

Title

Lisa Hall

Witness

Federal Insurance Company

By

Linda Lee Nipper

Attorney-in-Fact

CHUBB

## Power of Attorney

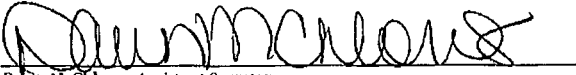
Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

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 **Tina Davis, Lisa Hall, Linda Lee Nipper and Lindsey Plattner of Salt Lake City, Utah** -----

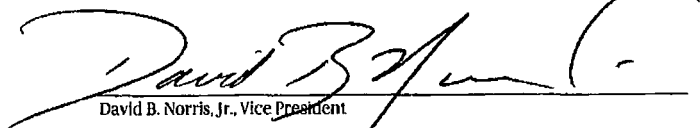
each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) 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 18<sup>th</sup> day of October, 2016.



Dawn M. Chloros, Assistant Secretary





David B. Norris, Jr., Vice President



STATE OF NEW JERSEY

County of Somerset

ss.

On this 18<sup>th</sup> day of October, 2016 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, 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 Dawn M. Chloros, being by me duly sworn, did depose and say that she 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 she signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that she is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316685  
Commission Expires July 16, 2019



Notary Public

### CERTIFICATION

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

"Except as otherwise provided in these By-Laws or by law or as otherwise directed by the Board of Directors, the President or any Vice President shall be authorized to execute and deliver, in the name and on behalf of the Corporation, all agreements, bonds, contracts, deeds, mortgages, and other instruments, either for the Corporation's own account or in a fiduciary or other capacity, and the seal of the Corporation, if appropriate, shall be affixed thereto by any of such officers or the Secretary or an Assistant Secretary. The Board of Directors, the President or any Vice President designated by the Board of Directors may authorize any other officer, employee or agent to execute and deliver, in the name and on behalf of the Corporation, agreements, bonds, contracts, deeds, mortgages, and other instruments, either for the Corporation's own account or in a fiduciary or other capacity, and, if appropriate, to affix the seal of the Corporation thereto. The grant of such authority by the Board or any such officer may be general or confined to specific instances."

I, Dawn M. Chloros, 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 signature of any authorized officer executing this Power of Attorney or any certificate relating thereto on behalf of the Companies, and the seal of the Companies, may be affixed to such Power of Attorney or certificate by facsimile and such Power of Attorney or certificate shall be valid and binding upon the Companies, and any such Power of Attorney so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Companies with respect to any bond or undertaking to which it is attached.
- (iii) 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 the U.S. Virgin Islands, and Federal is licensed in Guam, Puerto Rico, and each of the Provinces of Canada except Prince Edward Island; and
- (iv) 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 January 22, 2018





Dawn M. Chloros, 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 THE ADDRESS LISTED ABOVE, OR BY: Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

State of                    UT  
County of                Salt Lake        } ss:

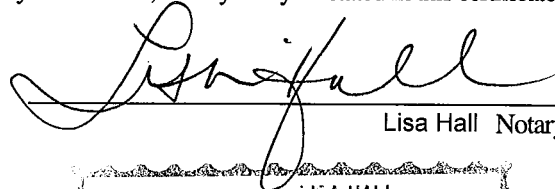
On                    January 22, 2018                    , before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared

Linda Lee Nipper

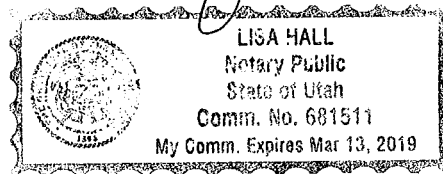
known to me to be Attorney-in-Fact of Federal Insurance Company  
the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires                    3/13/2019



Lisa Hall Notary Public



SUMMARY OF PAY ITEMS

**BID SCHEDULE - SUMMARY OF PAY ITEMS**

It is understood that the estimated summary of pay item quantities are approximate only and are solely for the purpose of facilitating the comparison of bids, and that the Contractor's compensation shall be computed upon the basis of the actual quantities in the completed work, whether they be more or less than those shown.

**Preparation of Bid Schedules:** Contractor MUST use the bid schedule provided in this document or in excel document format provided by the City (**DO NOT RECREATE THIS FORM**). All blank spaces in the Bid Form must be filled in legibly.

***Bidder should not reference the words "No Charge, N/A, included, dash, etc." in any of the blocks. Bidder must identify a monetary amount for each UNIT PRICE line item and the extended price (unless the unit price is "x" out by the City).***

***If bidder is not providing a bid price for an item, zero (0) must be designated on that line item. Failure to identify a monetary amount in any of the UNIT PRICE line items may cause bidder to be deemed non-responsive and bid response be rejected.*** In case of discrepancy between unit price and extended price, the unit price will govern. Apparent errors in extension will be corrected.

**MEASUREMENT OF QUANTITIES:** The Contractor shall submit quantities measured in accordance with the Technical Specifications section TS-24. The quantities of work performed and submitted will be verified and/or adjusted by the City. The City verified or adjusted measurements shall be final and binding. All work computed under the contract shall be measured according to the United States Standard Measurement and Weights. The City does not assume any responsibility that the final quantities will remain in accord with estimated quantities, nor shall the Contractor claim misunderstanding or deception because of such estimate of quantities. The estimated quantities of work to be done and material to be provided may be increased, decreased, or omitted, as provided herein. Any increase in quantities shall be approved by the City prior to any work.

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GO TO NEXT PAGE FOR SCHEDULE***

**COMPANY NAME:** Preferred Materials, Inc.

**NAME/TITLE OF PERSON AUTHORIZED TO BIND:** Angelia McElroy, Authorized Employee  
***This page must be completed and submitted***

**BID SCHEDULE FOR RFB NO. 2018-33 FY2018 ROUTINE ROAD MAINTENANCE - 45 MILES & W. PRICE**

Item Description	Unit	Est. Maint Qty	Est. W Price Qty	Total Qty	Unit Price	Extended Price
<b>1) M.O.T.</b>						
M.O.T. Maintenance	LS	1	-	1	\$441,530.00	\$441,530.00
M.O.T. W Price	LS	-	1	1	\$50,300.00	\$50,300.00
<b>a. Type SP Fine (TL C) (trackless tack)</b>						
	TN	37,247	2,484	39,731	\$78.00	\$3,099,018.00
<b>b. Asphalt Base Course (Type B 12.5 or SP 12.5)</b>						
	TN	300	100	400	\$184.00	\$73,600.00
<b>3) Asphalt Removal &amp; Disposal</b>						
Milling (0-1 1/2")(1" Avg)	SY	559,071	25,261	584,332	\$1.12	\$654,451.84
<b>a. 6" Yellow [skip]</b>						
	LF	0	2,088	2,088	\$1.23	\$2,568.24
<b>b. 6" Solid Yellow</b>						
	LF	320	600	920	\$1.23	\$1,131.60
<b>c. 6" Solid White</b>						
	LF	0	16,700	16,700	\$1.23	\$20,541.00
<b>d. Stop Bar</b>						
	EA	25	24	49	\$103.00	\$5,047.00
<b>e. Turn Arrow</b>						
	EA	4	12	16	\$103.00	\$1,648.00
<b>f. R.P.M.</b>						
	EA	0	250	250	\$4.10	\$1,025.00
<b>g. Crosswalk</b>						
	EA	12	24	36	\$511.00	\$18,396.00
<b>5) Survey</b>						
Restore Existing PCPs & Ref Points	EA	400	20	420	\$83.00	\$34,860.00
<b>6) ERCP (includes T-Swale pipe) or ADS Pipe</b>						
12x18	LF	424	0	424	\$56.20	\$23,828.80
14x23	LF	810	0	810	\$64.35	\$52,123.50
19x30	LF	1,444	0	1,444	\$88.85	\$128,299.40
24x38	LF	896	0	896	\$111.80	\$100,172.80
29x45	LF	24	0	24	\$153.20	\$3,676.80
ADS 15 / CAP 11x18	LF	20	0	20	\$53.70	\$1,074.00
<b>6a) Mitered End Section (MES ERCP)</b>						
MES 19x30	EA	4	0	4	\$1,532.00	\$6,128.00
MES 24x38	EA	4	0	4	\$2,002.00	\$8,008.00
<b>6b) Catch Basin/Inlet Concrete</b>						
Type D	EA	2	0	2	\$2,940.00	\$5,880.00
Type E	EA	11	0	11	\$3,043.00	\$33,473.00
Type H	EA	3	0	3	\$4,360.00	\$13,080.00
Type Modify Existing	EA	1	0	1	\$2,962.00	\$2,962.00
<b>7) Embankment/Borrow Excavation</b>						
a. Borrow (Truck Measure)	CY	1,000	200	1,200	\$10.00	\$12,000.00
<b>8) Sidewalk/Driveway Restoration</b>						
Sidewalk/Driveway 4"-6" Remove & Replace	SY	100	100	200	\$66.50	\$13,300.00
<b>9) Traffic Signal Loop Detectors</b>						
a. Loop Assemble- F&I (Type B)	AS	0	2	2	\$715.00	\$1,430.00
b. Loop Assemble- F&I (Type F)	AS	0	4	4	\$920.00	\$3,680.00
<b>10) Sod/RipRap/Restoration</b>						
a. Sod	SY	8,000	2,000	10,000	\$3.34	\$33,400.00
b. RipRap (Rubble Ditch)	TN	100	0	100	\$255.00	\$25,500.00
<b>SUB-TOTAL BID PRICE (ITEMS 1-10)</b>						<b>\$4,872,132.98</b>
<b>11) CNP Utility Adjustments (Contingency) - DO NOT BID</b>						
CNP Utility Adjustments Maintenance	LS	1	-	1	\$10,000.00	\$10,000.00
CNP Utility Adjustments W Price	LS	-	1	1	\$10,000.00	\$10,000.00
<b>TOTAL BID PRICE (ITEMS 1-11)</b>						<b>\$4,892,132.98</b>

SIGNATURE (Person authorized to bind the company):

NAME (printed): Angella McElroy, Authorized Employee

DATE: 1/22/18

THIS PAGE MUST BE COMPLETED AND SUBMITTED



**REFERENCES AND QUALIFICATIONS AND EXPERIENCE**

Bidder not demonstrating minimum similar and acceptable experience shall be deemed non-responsible. Documentation demonstrating that bidder meets this minimum requirement **(AS PER SP-28)** shall be stated in the below along with reference contact information and additional documentation may be submitted with your Submittal Package (**attach additional sheets if necessary**).

1. Business/Customer Name: Florida Department of Transportation

Name of Contact Person: Robert Little P.A. Telephone# 727-725-7950

E-mail: robert.little@dot.state.fl.us

Project Description/Location# 752498 FDOT T7320 4th St resurfacing, widening, & reconstruction  
Pinellas County, Florida

Contract Term: From 7/29/13 TO 3/30/15

Contract Price \$ 6,628,741.00 Contract Price at Completion of the Project 6,717,182.54

2. Business/Customer Name: Florida Department of Transportation

Name of Contact Person: Sarah Gansz Telephone# 813-699-5900

E-Mail: sarah.gansz@dot.state.fl.us

Project Description/Location: #752540 FDOT T7371 US 19 Resurfacing/reconstruction Hillsborough  
County, Florida

Contract Term: From 2/13/16 TO 8/25/17

Contract Price \$ 10,094,563.00 Contract Price at Completion of the Project \$ 10,014,563.57

3. Business/Customer Name: Hillsborough County BOCC

Name of Contact Person: Irina Aubain E.I. Telephone# 813-307-1762

E-Mail: aubain@hillsboroughcounty.org

COMPANY NAME: Preferred Materials, Inc.

NAME/TITLE OF PERSON AUTHORIZED TO BIND: Angelia McElroy, Authorized Employee

***This page must be completed and submitted***

Project Description/Location: #752490/752538 Hillsborough County Annual Resurfacing project  
resurfacing/widening/shoulders in various locations in Hillsborough County, FL

Contract Term: From 4/29/12 TO 12/29/16

Contract Price \$ 13,727,775.24 Contract Price at Completion of the Project \$ 13,727,775.24

4. Business/Customer Name: Florida Department of Transportation

Name of Contact Person: Joe Bugel P.A. Telephone# 813-481-0607

E-Mail: Joe.Bugel@dot.state.fl.us

Project Description/Location: # 752527 FDOT T7356 SR 693 Resurfacing/Reconstruction Pinellas  
County Florida

Contract Term: From 3/16/15 TO 12/29/16

Contract Price \$ 6,377,897.00 Contract Price at Completion of the Project \$ 6,241,173.92

5. Business/Customer Name: Florida Department of Transportation

Name of Contact Person: Thomas Curley Telephone# 813-612-3300

E-Mail: Thomas.curley@dot.state.fl.us

Project Description/Location: #752465 FDOT E7H36 56th Street Milling/resurfacing/reconstruction  
Hillsborough County, Florida

Contract Term: From 4/23/12 TO 3/25/14

Contract Price \$ 7,614,547.00 Contract Price at Completion of the Project \$ 7,614,547.00

**COMPANY NAME:** Preferred Materials, Inc.

**NAME/TITLE OF PERSON AUTHORIZED TO BIND:** Angelia McElroy, Authorized Employee

***This page must be completed and submitted***

STATEMENT OF ORGANIZATION

Name of Business: Preferred Materials, Inc.

DBA (if any): N/A

Type of Entity (Sole Proprietor, Corporation, LLC, LLP, Partnership, etc): Corporation

Business Address: 5701 E. Hillsborough Ave. Suite 1122  
Tampa, Florida 33610

Mailing Address (If applicable): same as above

Phone: 813-612-5740 Fax: 813-664-8526

E-Mail: angie.mcelroy@preferredmaterials, Inc.

Name/Title of person authorized to bind: Angelia McElroy, Authorized Employee

Signature: 

Are you registered with the State of Florida Department of State? ☒ Yes or ☐ No

If yes, what is your State document number? P25884

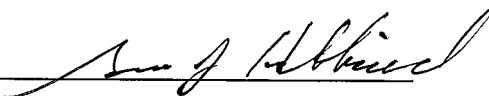
Respondent shall submit proof that it is authorized to do business in the State of Florida unless registration is not required by law.

STATE OF Florida

COUNTY OF Hillsborough

Sworn to and subscribed before me this 22nd day of January, 2018, by Angelia McElroy who ☒ is personally known to me or ☐ has produced his/her driver's license as identification.





Notary Public - State of Florida

Print Name: Susan J. Hibbard

Commission No: FF933972

***This page must be completed and submitted***

**EQUIPMENT LIST (IF APPLICABLE)**

Equipment is located at: Various Locations

The following is a listing of your equipment, inclusive of manufacturer, year and condition. Condition shall be listed in accordance with the following scale: **1-Excellent; 2-Good; 3-Fair; 4-Poor**. (Attach additional sheets, if required.)

Description	Manufacturer	Year	Condition	Leased/Owned (If leased, date of expiration)
See attached list				

**SOURCE OF SUPPLY AND SUBCONTRACTOR FORM**

The following sources of supply and subcontractors shall be used for the **2018 ROUTINE ROAD MAINTENANCE PROJECT**. If bidder does not have a source of supply or subcontractor, insert "to be determined". When a source or subcontractor is determined, selection will be subject to City approval. (If not applicable, state N/A).

**SUBCONTRACTOR(S)**

**(PLEASE INCLUDE ADDRESS/TELEPHONE NUMBER)**

- Collier Paving & Concrete 6089 Janes Lane, Naples FL 34109 PH: 239-591-5903
- Consolidated Productions Groups, Inc. 1403 SE Ohio Ave. Arcadia, FL 34266 PH: 863-993-3660
- AKCA Inc. 4603 Reece Road Plant City, FL 33566 PH: 813-752-4471
- 

**SUPPLIER(S)**

- To be determined
- 
- 
- 

COMPANY: Preferred Materials, Inc.

SIGNATURE: Angelia McElroy  
Angelia McElroy, Authorized Employee

***This page must be completed and submitted***

EM OMG EQUIPMENT MASTER

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VINNumber</u>	<u>Dept.</u>	<u>Category</u>	<u>Shop</u>	<u>A/I</u>	<u>Fuel</u>	<u>RC</u>	<u>Own</u>	<u>License#</u>	<u>State</u>	<u>Scale # &amp; Condition</u>
2008	Dodge	Ram 1500 SLT	1D7HA18N68S563324	80320.3	0120.	820	A	GAS	1	O	414LWQ	FL	# 2 Good
2008	Dodge	Ram 2500 ST	3D7KR28D58G243107	80320.3	0121.	820	A	GAS	1	O	246VJB	FL	# 2 Good
2008	Dodge	1500 SLT	1D7HA18N48S563337	80320.3	0120.	820	A	GAS	1	O	402WAB	FL	# 2 Good
2015	Ford	F250 XL	1FT7W2A64FEC02993	80320.3	0122.	820	A	GAS	1	O	402QVR	FL	# 2 Good
2015	Ford	F250 XL	1FT7W2A68FED30931	80320.3	0121.	820	A	GAS	1	O	HLEV66	FL	# 2 Good
2016	Ford	F250	1FT7W2A62GEA69555	80320.3	0121.	820	A	GAS	1	O	EHUW56	FL	# 2 Good
2016	Ford	F150 Supercab	1FTEW1CF0GFD31579	80320.3	0120.	820	A	GAS	1	L	HNGK56	FL	# 2 Good
2017	Ford	F250	1FT7W2A66HEB83253	80320.3	0122.	820	A	GAS	1	L	HXBY03	FL	# 2 Good
2017	Ford	F250 XL	1FT7W2A62HEC99680	80320.3	0121.	820	A	GAS	1	O	Y61QZS	FL	# 2 Good
2005	Unidentified	Unidentified	5KZBU08115A006899	80320.3	0210.	820	A		1	O	HKVT83	FL	# 2 Good
2000	Unidentified	Unidentified	4YMU1016YH036120	80320.3	0210.	820	A		1	O	043YSK	FL	# 2 Good
1992	Unidentified	Unidentified	069215V	80320.3	0210.	820	A		1	O	735YTJ	FL	# 2 Good
1992	Unidentified	Unidentified	079187V	80320.3	0210.	820	A		1	O	CICF42	FL	# 2 Good
2017	Felling	FT10DTHDG	5FTD21220G1003779	80320.3	0302.	820	A		1	R			# 2 Good
1993	Aeroil	HEPR 52	1062	80320.3	0400.	820	A		1	O	AFRR24	FL	# 2 Good
2012	Ford	F550	1FDUF5HT3CEC83668	80320.3	0702.	820	A	DIESELON	1	O	HZQD04	FL	# 2 Good
2015	Superior	SM80K	916279	80320.3	1302.	820	A	DIESELOFF	1	R			# 2 Good
2016	Freightliner	M2 106	1FVACXC9GHHT5925	80320.3	1320.	820	A	DIESELON	1	O	N2213Y	FL	# 2 Good
2007	John Deere	328	T00328F155706	80320.3	2300.	820	A	DIESELOFF	1	O			# 2 Good
2008	John Deere	544J	DW544JZ619531	80320.3	2310.	820	A	DIESELOFF	1	O			# 2 Good
2008	John Deere	544J	DW544JZ619596	80320.3	2310.	820	A	DIESELOFF	1	O			# 2 Good
2015	Caterpillar	299D	GTC02073	80320.3	2301.	820	A	DIESELOFF	1	L			# 2 Good
2015	Caterpillar	299D	GTC02087	80320.3	2301.	820	A	DIESELOFF	1	L			# 2 Good
2016	Caterpillar	299D	FD200482	80320.3	2301.	820	A	DIESELOFF	1	L			# 2 Good
2008	New Holland	T4020	Z8JAD8899	80320.3	2461.	820	A	DIESELOFF	1	O			# 2 Good
2014	Massey Ferguson	4608	M46080DJK23907	80320.3	2462.	820	A	DIESELOFF	1	O			# 2 Good
2017	Massey Ferguson	MF4607M	M46070GJM74506	80320.3	2462.	820	A	DIESELOFF	1	O			# 2 Good
2003	Midland	SP-8	380	80320.3	2970.	820	A	DIESELOFF	1	O			# 2 Good
2000	Rosco	SPRH-H	34522	80320.3	2981.	820	A	DIESELOFF	1	O			# 2 Good
2005	Caterpillar	12H	0012HEAMZ00863	80320.3	3010.	820	A	DIESELOFF	1	O			# 2 Good
2017	Takeuchi	TB230	130000845	80320.3	3110.	820	A	DIESELOFF	1	R			# 2 Good
1989	International	4600	1HTSAZPM5LH697743	80320.3	3430.	820	A	DIESELOFF	1	O	091LYX	FL	# 2 Good
2004	Ford	F750	3FRXW75P14V618259	80320.3	5024.	820	A	DIESELON	1	O	N3112X	FL	# 2 Good
2005	GMC	7500	1GDM7E1C45F520771	80320.3	5024.	820	A	DIESELON	1	O	N8561V	FL	# 2 Good
2007	GMC	7500	1GBJ7E1327F415712	80320.3	5024.	820	A	DIESELON	1	O	JBX82	FL	# 2 Good
2007	GMC	7500	1GDJ7C1347F404593	80320.3	5024.	820	A	DIESELON	1	O	766YTJ	FL	# 2 Good
2015	Ford	F550 XL	1FDOW5GY5FED69774	80320.3	5022.	820	A	DIESELON	1	O	744RLN	FL	# 2 Good
2015	Ford	F450	1FDOW4GT8FED58671	80320.3	5022.	820	A	GAS	1	O	DXDQ45	FL	# 2 Good
2016	Ford	F550 XL	1FDOW5GY9GEA84853	80320.3	5022.	820	A	GAS	1	O	Y27ECP	FL	# 2 Good
2015	Ford	F750	3FRXF7FJ8FV099434	80320.3	5420.	820	A	DIESELON	1	O	N3293Y	FL	# 2 Good
2015	Ford	F750	3FRXF7FJ7FV720582	80320.3	5420.	820	A	DIESELON	1	O	N3294Y	FL	# 2 Good
2016	Kenworth	T370	2NKHMM7X9GM127587	80320.3	5430.	820	A	DIESELON	1	O	N2239W	FL	# 2 Good
2014	Weiler	E1250A	1136	80320.3	6002.	820	A	DIESELOFF	1	O			# 2 Good
2015	Weiler	E1250A	W1143	80320.3	6002.	820	A	DIESELOFF	1	O			# 2 Good
2013	Voge	5203-2I	08750014	80320.3	6231.	820	A	DIESELOFF	1	O			# 2 Good
2012	Caterpillar	AP 1000E	0T1F00188	80320.3	6231.	820	A	DIESELOFF	1	O			# 2 Good

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VINNumber</u>	<u>Dept.</u>	<u>Category</u>	<u>Shop</u>	<u>A/I</u>	<u>Fuel</u>	<u>RC</u>	<u>Own</u>	<u>License#</u>	<u>State</u>	<u>Scale # &amp; Condition</u>
2015	Volvo	P7170	P7170-387059	80320.3	6231.	820	A	DIESELOFF	1	O			# 2 Good
2016	Volvo	PF2181	376032	80320.3	6221.	820	A	DIESELOFF	1	O			# 2 Good
2002	Hypac	C340C	109C14603354	80320.3	6330.	820	A	DIESELOFF	1	O			# 2 Good
2003	Bomag	BW9AS	603887	80320.3	6330.	820	A	DIESELOFF	1	O			# 2 Good
2017	Wacker Neuson	RD12A	24290141	80320.3	6300.	820	A	DIESELOFF	1	R			# 2 Good
2013	Hamm	HD120 VO	H1840879	80320.3	6451.	820	A	DIESELOFF	1	O			# 2 Good
2013	Hamm	HD120 VO	H1840890	80320.3	6451.	820	A	DIESELOFF	1	O			# 2 Good
2015	Volvo	DD120B	7103	80320.3	6451.	820	A	DIESELOFF	1	L			# 2 Good
2015	Volvo	DD120B	7106	80320.3	6451.	820	A	DIESELOFF	1	L			# 2 Good
2016	Volvo	DD120B	287129	80320.3	6451.	820	A	DIESELOFF	1	L			# 2 Good
2016	Volvo	DD120B	287131	80320.3	6451.	820	A	DIESELOFF	1	L			# 2 Good
2017	Volvo	DD25B	VCE0D25BV0H660394	80320.3	6440.	820	A	DIESELOFF	1	R			# 2 Good
2008	Bomag	BW11RH	911A22211024	80320.3	6520.	820	A	DIESELOFF	1	O			# 2 Good
2008	Bomag	BW11RH	911A22211025	80320.3	6520.	820	A	DIESELOFF	1	O			# 2 Good
2016	Caterpillar	CW16	TL500116	80320.3	6520.	820	A	DIESELOFF	1	L			# 2 Good
2016	Homemade	Preferred Materials	NOVIN0201157186	80320.3	8840.	820	A		1	O	HLEV26	FL	# 2 Good
2005	Dodge	1500	1D7HA18N55J618136	80320.3	0120.	821	A	GAS	1	O	DZIM59	FL	# 2 Good
2008	Dodge	1500 SLT	1D7HA18N68S563341	80320.3	0120.	821	A	GAS	1	O	828LWT	FL	# 2 Good
2008	Dodge	1500 SLT	1D7HA18N48S563354	80320.3	0120.	821	A	GAS	1	O	990VJJ	FL	# 2 Good
2015	Ford	F250 XL	1FT7W2A68FED30928	80320.3	0121.	821	A	GAS	1	O	684REU	FL	# 2 Good
2016	Ford	F250	1FT7W2A69GEC38566	80320.3	0121.	821	A	GAS	1	O	GBPA66	FL	# 2 Good
2016	Ford	F250	1FT7W2A61FEC99392	80320.3	0121.	821	A	GAS	1	O	GBPA64	FL	# 2 Good
2017	Ford	F250 XL	1FT7W2A64HEC99681	80320.3	0121.	821	A	GAS	1	O	Y59QZS	FL	# 2 Good
2017	Ford	F250 XL	1FT7W2A66HEC99682	80320.3	0121.	821	A	GAS	1	O	Y60QZS	FL	# 2 Good
2015	Load Trail	SE6010031_19215	4ZESA1014F1075884	80320.3	0210.	821	A		1	O	DZWY80	FL	# 2 Good
2007	Unidentified	Unidentified	NOVIN0200576580	80320.3	0210.	821	A		1	O	IERL27	FL	# 2 Good
2007	Unidentified	Unidentified	NOVIN0200576595	80320.3	0210.	821	A		1	O	GHSJ13	FL	# 2 Good
2007	Unidentified	Unidentified	NOVIN0200598806	80320.3	0210.	821	A		1	O	IERL28	FL	# 2 Good
2010	Unidentified	Unidentified	NOVIN0200890452	80320.3	0210.	821	A		1	O	057YUQ	FL	# 2 Good
2007	Kubota	L5240/K2FMHD78-EV	31359	80320.3	1302.	821	A	DIESELOFF	1	O			# 2 Good
2016	Elgin	Broom Bear	1FVACXC9YHHJB9765	80320.3	1320.	821	A	DIESELON	1	O	N1537Y	FL	# 2 Good
2015	Caterpillar	299D	GTC02078	80320.3	2301.	821	A	DIESELOFF	1	L			# 2 Good
2015	Caterpillar	299D	GTC02075	80320.3	2301.	821	A	DIESELOFF	1	L			# 2 Good
2015	Caterpillar	299D	GTC01885	80320.3	2301.	821	A	DIESELOFF	1	L			# 2 Good
2015	Massey Ferguson	4608	M46080EJK22860	80320.3	2462.	821	A	DIESELOFF	1	O			# 2 Good
2015	Massey Ferguson	4608	AG3M46080DJK23635	80320.3	2462.	821	A	DIESELOFF	1	O			# 2 Good
2017	Massey Ferguson	MF4607M	AG3M4607	80320.3	2462.	821	A	DIESELOFF	1	O			# 2 Good
2006	GMC	5500	1GDE5E1256F408368	80320.3	5022.	821	A	DIESELON	1	O	EVMT95	FL	# 2 Good
2015	Ford	F550	1FD0W5GY3FEA88962	80320.3	5022.	821	A	DIESELON	1	O	CTNW36	FL	# 2 Good
2016	Ford	F550 XL	1FD0W5GY3GEA29816	80320.3	5022.	821	A	GAS	1	O	794RLN	FL	# 2 Good
2015	Ford	F550	1FD0W5GT4FED45745	80320.3	5022.	821	A	GAS	1	O	DXDQ47	FL	# 2 Good
2015	Ford	F550	1FD0W5GTXFEC84319	80320.3	5022.	821	A	GAS	1	O	DXDQ46	FL	# 2 Good
2016	Ford	F550 XL	1FD0W5GY7GEA29818	80320.3	5022.	821	A	GAS	1	O	HLEV32	FL	# 2 Good
2017	Ford	F550 XL	1FD0W5GT3HEB62162	80320.3	5022.	821	A	DIESELON	1	O	Y50RAI	FL	# 2 Good
2007	Etnyre	Centennial	1GDN7C1C27F402340	80320.3	5420.	821	A	DIESELON	1	O	N6107Z	FL	# 2 Good
2015	Ford	F750	3FRXF7FJ9FV671109	80320.3	5420.	821	A	DIESELON	1	O	N8606V	FL	# 2 Good
2015	Ford	F750	3FRXF7FJ9FV720583	80320.3	5420.	821	A	DIESELON	1	O	N8998V	FL	# 2 Good
2016	Kenworth	T370	2NKHMH7X6GM111654	80320.3	5430.	821	A	DIESELON	1	O	N3190X		# 2 Good

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VINNumber</u>	<u>Dept.</u>	<u>Category</u>	<u>Shop</u>	<u>A/I</u>	<u>Fuel</u>	<u>RC</u>	<u>Own</u>	<u>License#</u>	<u>State</u>	<u>Scale # &amp; Condition</u>
2012	Weiler	E1250A	W1106	80320.3	6002.	821	A	DIESELOFF	1	O			# 2 Good
2011	Weiler	E1250A	1072	80320.3	6002.	821	A	DIESELOFF	1	O			# 2 Good
2012	Weiler	E1250A	1109	80320.3	6002.	821	A	DIESELOFF	1	O			# 2 Good
2007	Weiler	W530	WA530-1015	80320.3	6100.	821	A	DIESELOFF	1	O			# 2 Good
2014	Caterpillar	AP1055E	TJF00366	80320.3	6230.	821	A	DIESELOFF	1	O			# 2 Good
2014	Caterpillar	AP1055E	TJF00420	80320.3	6230.	821	A	DIESELOFF	1	L			# 2 Good
2015	Caterpillar	AP 1000F	AC400104	80320.3	6231.	821	A	DIESELOFF	1	O			# 2 Good
2015	Vogele	S100-2	1382.0187	80320.3	6210.	821	A	DIESELOFF	1	O			# 2 Good
2006	Ingersoll Rand	DD112HF	191674	80320.3	6450.	821	A	DIESELOFF	1	O			# 2 Good
2007	Volvo	DD70	196251	80320.3	6442.	821	A	DIESELOFF	1	O			# 2 Good
2012	Hamm	HD120 V0	H1840636	80320.3	6451.	821	A	DIESELOFF	1	O			# 2 Good
2012	Hamm	HD120 V0	H1840645	80320.3	6451.	821	A	DIESELOFF	1	O			# 2 Good
2016	Sakai	SW850ND	4SW56-50234	80320.3	6451.	821	A	DIESELOFF	1	L			# 2 Good
2016	Sakai	SW850ND	4SW56-50241	80320.3	6451.	821	A	DIESELOFF	1	L			# 2 Good
2016	Sakai	SW850ND	4SW56-50174C	80320.3	6451.	821	A	DIESELOFF	1	L			# 2 Good
2016	Sakai	SW850ND	4SW56-50125	80320.3	6451.	821	A	DIESELOFF	1	R			# 2 Good
2008	Bomag	BW11RH	911A22211018	80320.3	6520.	821	A	DIESELOFF	1	O			# 2 Good
2015	Sakai	GW750 II	1GW2-20447	80320.3	6520.	821	A	DIESELOFF	1	L			# 2 Good
2015	Sakai	GW750 II	1GW2-20440	80320.3	6520.	821	A	DIESELOFF	1	L			# 2 Good
1999	Wirtgen	W350	2.03.10000264.0359	80320.3	6900.	821	A	DIESELOFF	1	O			# 2 Good
1985	(Unknown)	(Unknown)	667	80320.3	8860.	821	A		1	O			# 2 Good
2002	Topcon	GTS225		80320.3	8800.	821	A		1	O			# 2 Good
2005	(Unknown)	(Unknown)		80320.3	8860.	821	A		1	O			# 2 Good
2006	Topcon	(Unknown)		80320.3	8800.	821	A		1	O			# 2 Good
2008	Topcon	GTS905A		80320.3	8800.	821	A		1	O			# 2 Good
2016	Unidentified	Unidentified	NOVIN0201128802	80320.3	8840.	821	A		1	O	GHRU53	FL	# 2 Good

**CONFLICT OF INTEREST FORM**

F.S. §112.313 places limitations on public officers (including advisory board members) and employees' ability to contract with the City either directly or indirectly. Therefore, please indicate if the following applies:

**PART I.**

- ☐ I am an employee, public officer or advisory board member of the City  
\_\_\_\_\_  
(List Position Or Board)
- ☐ I am the spouse or child of an employee, public officer or advisory board member of the City  
Name: \_\_\_\_\_
- ☐ An employee, public officer or advisory board member of the City, or their spouse or child, is an officer, partner, director, or proprietor of Respondent or has a material interest in Respondent. "Material interest" means direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of [§112.313], indirect ownership does not include ownership by a spouse or minor child.  
Name: \_\_\_\_\_
- ☐ Respondent employs or contracts with an employee, public officer or advisory board member of the City  
Name: \_\_\_\_\_
- ☒ None of The Above

**PART II:**

Are you going to request an advisory board member waiver?

- ☐ I will request an advisory board member waiver under §112.313(12)
- ☐ I will NOT request an advisory board member waiver under §112.313(12)
- ☒ N/A

The City shall review any relationships which may be prohibited under the Florida Ethics Code and will disqualify any bidders whose conflicts are not waived or exempt.

COMPANY: Preferred Materials, Inc.

SIGNATURE: Angela McElroy  
Angela McElroy, Authorized Employee

DATE: 1/22/18

***This page must be completed and submitted***



**AFFIDAVIT**  
**Claiming Status as a LOCAL BUSINESS**

**\*\*CONTRACTOR MUST MEET ALL 4 REQUIREMENTS BELOW TO CLAIM LOCAL BUSINESS STATUS\*\***

State of \_\_\_\_\_ }  
 County of \_\_\_\_\_ } SS.

Before me, the undersigned authority, personally appeared: \_\_\_\_\_  
 who, being first duly sworn, deposes and says that:

1. I am the \_\_\_\_\_ (Owner, Partner, Officer, Representative or Agent) of \_\_\_\_\_,  
 the Bidder that has submitted the attached proposal;

**AND**

2. I am fully informed respecting the operation and employees of the Bidder;

**AND**

3. I affirm that the Bidder has maintained a physical business address located within the limits of Sarasota County, Charlotte County or Desoto County for a period of six (6) months or more before submitting this bid, from which the Bidder operates or performs business. The qualifying local address is \_\_\_\_\_

**AND**

4. I affirm that at least fifty percent (50%) of the Bidder's employees are residents of the City of North Port. If requested by the City, the bidder will be required to provide documentation substantiating the information given in this affidavit. City of North Port reserves the right to request supporting documentation as evidence to substantiate the information given in this affidavit. Failure to do so will result in the bidder's submission being deemed non-responsive.

**Any bidder that misrepresents its status as a local business or North Port local business shall be barred from receiving any City contracts for a period of three (3) years.**

State of Florida  
 County of \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ who ☐ is  
 personally known to me or ☐ has produced his driver's license as identification.

NOTARY SEAL:

\_\_\_\_\_  
 Notary Public - State of Florida

Print Name: \_\_\_\_\_

Commission No: \_\_\_\_\_

**This page to be returned ONLY if Contractor is claiming a Local Business Status.**

**AFFIDAVIT**

## Claiming Status as a North Port Local Business

**\*\*CONTRACTOR MUST MEET ALL 4 REQUIREMENTS BELOW TO CLAIM NORTH PORT BUSINESS STATUS\*\***

State of \_\_\_\_\_

County of \_\_\_\_\_

SS.

Before me, the undersigned authority, personally appeared:

\_\_\_\_\_ who, being first duly sworn, deposes and says that:

1. I am the \_\_\_\_\_ (Owner, Partner, Officer, Representative or Agent) of \_\_\_\_\_, the Bidder that has submitted the attached bid;

**AND**

2. I am fully informed respecting the operation and employees of the Bidder;

**AND**

3. I affirm that the Bidder has maintained its primary physical business address within the limits of the City of North Port for a period of six (6) months or more before submitting this bid, from which the Bidder operates or performs business. The qualifying local address is \_\_\_\_\_

**AND**

4. I affirm that at least fifty percent (50%) of the Bidder's employees are residents of the City of North Port.

If requested by the City, the bidder will be required to provide documentation substantiating the information given in this affidavit. City of North Port reserves the right to request supporting documentation as evidence to substantiate the information given in this affidavit. Failure to do so will result in the bidder's submission being deemed non-responsive.

**Any bidder that misrepresents its status as a local business or North Port local business shall be barred from receiving any City contracts for a period of three (3) years.**

State of Florida

County of \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ who ☐ is personally known to me or ☐ has produced his driver's license as identification.

NOTARY SEAL:

\_\_\_\_\_  
Notary Public - State of Florida

Print Name: \_\_\_\_\_

Commission No: \_\_\_\_\_

**This page to be returned ONLY if Contractor is claiming a North Port Local Business Status.**

**PUBLIC ENTITY CRIME INFORMATION**

As provided by F.S. §287.133, 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, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I, Angelia McElroy, being an authorized representative of the Respondent,  
Preferred Materials, Inc., located at 5701 E. Hillsborough Ave. Suite 1122

City: Tampa State: Florida Zip Code: 33610, have read and understand  
the contents above. I further certify that Respondent is not disqualified from replying to this solicitation because of F.S.  
§287.133.

Signature: [Signature] Date: 1/22/18

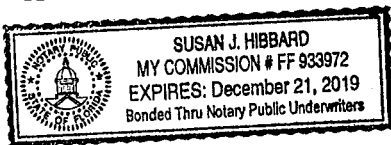
Telephone #: 813-612-5740 Fax #: 813-664-8526

Federal ID #: 58-1401468

STATE OF Florida  
COUNTY OF Hillsborough

Sworn to and subscribed before me this 22nd day of January, 2018 by Angelia McElroy

who ☒ is personally known to me or ☐ has produced his/her driver's license as identification.



[Signature]  
Notary Public - State of Florida

Print Name: Susan J. Hibbard

Commission No: FF933972

**THIS PAGE MUST BE SUBMITTED**

NON-COLLUSIVE AFFIDAVIT

State of Florida

County of Hillsborough

SS. }

Before me, the undersigned authority, personally appeared:

Angelia McElroy who, being first duly sworn, deposes and says that:

1. He/She is the Representative (Owner, Partner, Officer, Representative or Agent) of Preferred Materials, Inc., the Respondent that has submitted the attached reply;

2. He/She is fully informed respecting the preparation and contents of the attached reply and of all pertinent circumstances respecting such reply;

3. Such reply is genuine and is not a collusive or sham reply;

4. Neither the said Respondent nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Respondent, firm, or person to submit a collusive or sham reply in connection with the work for which the attached reply has been submitted; or have in any manner, directly or indirectly sought by agreement or collusion, or communication or conference with any Respondent, firm, or person to fix the price or prices in the attached reply or of any other Respondent, or to fix any overhead, profit, or cost elements of the reply price or the reply price of any other Respondent, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the reply work.

Signed, sealed and delivered this 22nd day of January, 2018.

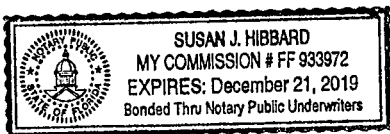
By: Angelia McElroy

Angelia McElroy  
(Printed Name)

Authorized Employee  
(Title)

STATE OF Florida  
COUNTY OF Hillsborough

Sworn to and subscribed before me this 22nd day of January, 2018 by Angelia McElroy who ☒ is personally known to me or ☐ has produced his/her driver's license as identification.



Susan J. Hibbard  
Notary Public - State of Florida

Print Name: Susan J. Hibbard

Commission No: FF933972

COMPANY: Preferred Materials, Inc.

SIGNATURE: Angelia McElroy

Angelia McElroy, Authorized Employee

***This page must be completed and submitted***

LOBBYING CERTIFICATION

"The undersigned hereby certifies, to the best of his or her knowledge and belief, that":

STATE OF FLORIDA

COUNTY OF SARASOTA

This 22nd day of January of 2018

~~Angelia McElroy, Authorized Employee~~, being first duly sworn, deposes and says that he or she is the authorized representative of Preferred Materials, Inc. (Name of the contractor, firm or individual), and that the vendor and any of its agents agree to have no contact or communication with, or discuss any matter related in any way to any active City of North Port solicitation, with any City of North Port elected officials, officers, their appointees or their agents or any other staff or outside individuals working with the city in respect to this request other than the designated Procurement Official Contact and to abide by the restrictions outlined in the General Terms and Conditions of the Solicitation. Technical questions directed to the project manager, is prohibited. These persons shall not be lobbied, either individually or collectively, regarding any questions for bid, proposal, qualification and/or any other solicitations released by the city. To do so is grounds for immediate disqualification from the selection process. The selection process is not considered final until such a time as the Commission has made a final and conclusive determination.

(a) No City appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence either directly or indirectly an officer or employee of the City, City Commission in connection with the awarding of any City Contract.

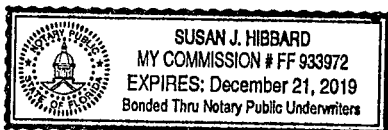
(b) If any funds other than City appropriated funds have been paid or will be paid to any person for influencing or attempting to influence a member of City Commission or an officer or employee of the City in connection with this contract, the undersigned shall complete and submit Standard Form-L "Disclosure Form to Report Lobbying", in accordance with its instructions.

Signed, sealed and delivered this 22nd day of January, 2018.

By: [Signature]  
Angelia McElroy  
(Printed Name)  
Authorized Employee  
(Title)

STATE OF Florida  
COUNTY OF Hillsborough

Sworn to and subscribed before me this 22nd day of January, 2018, by Angelia McElroy who ☒ is personally known to me or ☐ has produced his/her driver's license as identification.



[Signature]  
Notary Public - State of Florida  
Print Name: Susan J. Hibbard  
Commission No: FF933972

THIS PAGE MUST BE SUBMITTED

**DRUG FREE WORKPLACE FORM**

The undersigned Respondent in accordance with Florida Statute §287.087 hereby certifies that Preferred Materials, Inc. does:

(Company Name)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that Respondent complies fully with the above requirements.

**Check one:**

- ☒ As the person authorized to sign this statement, I certify that this firm complies fully with above requirements.
- ☐ As the person authorized to sign this statement, this firm **does not** comply fully with the above requirements.

  
Signature

Angelia McElroy  
Print Name

1/22/18  
Date

***This page must be completed and submitted***

**SWORN STATEMENT: THE FLORIDA TRENCH SAFETY ACT**

(Complete if applicable)

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

1. This Sworn Statement is submitted with Bid No. 2018-33 for the construction of 2018 Routine Road Maintenance.
2. This Sworn Statement is submitted by Preferred Materials, Inc. whose business address is 5701 E. Hillsborough Ave Tampa, FL 33610 and (if applicable) its Federal Employer Identification Number (FEIN) is 58-1401468.
3. My name is Angelia McElroy  
(PRINTED OR TYPED NAME OF INDIVIDUAL SIGNING) and hold the position of Authorized Employee with the above entity.
4. The Trench Safety Standards that will be in effect during the construction of this Project are Florida Statute Section 553.60-55.64, Trench Safety Act, and OSHA Standard.
5. The undersigned assures that the entity will comply with the applicable Trench Safety Standards and agrees to indemnify and hold harmless the County and ENGINEER, and any of their agents or employees from any claims arising from the failure to comply with said standard.
6. The undersigned has appropriated \$ N/A per linear foot of trench to be excavated over 5' deep for compliance with the applicable standards and intends to comply by instituting the following procedures: \_\_\_\_\_
7. The undersigned has appropriated \$ N/A per square foot for compliance with shoring safety requirements and intends to comply by instituting the following procedures: \_\_\_\_\_
8. The undersigned, in submitting this Bid, represents that he or she has reviewed and considered all available geotechnical information and made such other investigations and tests as he or she may deem necessary to adequately design the trench safety system(s) he or she will utilize on this Project.

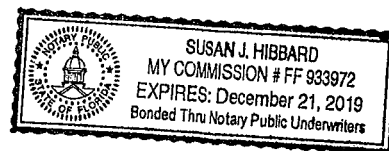
Sworn to and subscribed before me

this 1/22/2018  
(date)

Angelia McElroy  
Authorized Signature/Title  
Angelia McElroy, Authorized Employee

Susan J. Hibbard  
Notary Public Signature Susan J. Hibbard

(Notary Seal)

My Commission Expires: 12/21/19

SCRUTINIZED COMPANY AFFIDAVIT AND CERTIFICATION

State of Florida

SS. }

County of Hillsborough

Florida Statutes §287.135 (2011) prohibits local governments from contracting with Scrutinized Companies for contracts valued at one million dollars (\$1,000,000.00) or greater, subject to certain exceptions.

Before me, the undersigned authority, personally appeared:

Angelia McElroy who, being first duly sworn, deposes and says that:

1. I am the Representative                      (Owner, Partner, Officer, Representative or Agent) of Preferred Materials, Inc.                      that has submitted the attached proposal.
2. I am fully informed respecting the Bidder.
3. I have read and am familiar with the requirements of Florida Statutes §287.135 (2011).
4. The Bidder is not on the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in Iran Petroleum Energy Sector list as defined in Florida Statutes §215.473 and is therefore eligible to submit this bid or proposal.
5. Under penalties of perjury, I declare that I have examined this affidavit and certification and to the best of my knowledge and belief, it is true, correct, and complete.

Signed, sealed and delivered this 22nd day of January, 2018

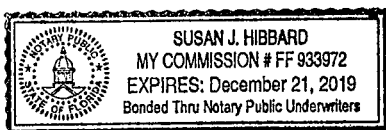
By: Angelia McElroy  
Angelia McElroy, Authorized Employee

Sworn to and subscribed before me this 22nd day of January, 2018, by Angelia McElroy who  
☒ is personally known to me or ☐ has produced his/her driver's license as identification.

Notary Public - State of Florida

Print Name: Susan J. Hibbard

Commission No: FF933972







*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

RACHEL D. CONE  
INTERIM SECRETARY

May 11, 2017

PREFERRED MATERIALS INC.  
11482 COLUMBIA PARK DR W  
JACKSONVILLE FL 32258

RE: CERTIFICATE OF QUALIFICATION

Dear Sir/Madam:

The Department of Transportation has qualified your company for the type of work indicated below. Unless your company is notified otherwise, this Certificate of Qualification will expire 6/30/2018. However, the new application is due 4/30/2018.

In accordance with S.337.14 (1) F.S. your next application must be filed within (4) months of the ending date of the applicant's audited annual financial statements.

If your company's maximum capacity has been revised, you can access it by logging into the Contractor Prequalification Application System via the following link:

[HTTPS://fdotwpl.dot.state.fl.us/ContractorPreQualification/](https://fdotwpl.dot.state.fl.us/ContractorPreQualification/)

Once logged in, select "View" for the most recently approved application, and then click the "Manage" and "Application Summary" tabs.

**FDOT APPROVED WORK CLASSES:**

DEBRIS REMOVAL (EMERGENCY), DRAINAGE, FENCING, FLEXIBLE PAVING, GRADING, GRASSING, SEEDING AND SODDING, GUARDRAIL, HOT PLANT-MIXED BITUM. COURSES, INTERMEDIATE BRIDGES, MINOR BRIDGES, PORTLAND CEMENT CONCRETE ROADWAY PAVING, ROADWAY SIGNING, SIDEWALK, MILLING, REHABILITATION OF CONCRETE PAVEMENT, CONCRETE SLAB REPLACEMENT, CURB AND GUTTER, DRIVEWAYS, REINFORCED EARTH WALLS, SLIP FORM BARRIER WALL, TRAFFIC SEPARATORS, ATTENUATORS, UNDERGROUND UTILITIES (WATER & SEWER), FORCE MAIN, LIFT STATION, LEACHATE AND GAS PIPING.

You may apply for a Revised Certificate of Qualification at any time prior to the expiration date of this certificate according to Section 14-22.0041(3), Florida Administrative Code (F.A.C.), by accessing your most recently approved application as shown above and choosing "Update" instead of "View." If certification in additional classes of work is desired, documentation is needed to show that your company has done such work with your own forces and equipment or that experience was gained with another contractor and that you have the necessary equipment for each additional class of work requested.

PREFERRED MATERIALS INC.

May 11, 2017

Page Two

All prequalified contractors are required by Section 14-22.006(3), F.A.C., to certify their work underway monthly in order to adjust maximum bidding capacity to available bidding capacity. You can find the link to this report at the website shown above.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Autry", is written over the typed name.

Alan Autry, Manager  
Contracts Administration Office

AA:cj

# Certificate of Insurance

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON YOU THE CERTIFICATE HOLDER. THIS CERTIFICATE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW. POLICY LIMITS ARE NO LESS THAN THOSE LISTED, ALTHOUGH POLICIES MAY INCLUDE ADDITIONAL SUBLIMIT/LIMITS NOT LISTED BELOW.

## This is to Certify that

Preferred Materials, Inc.  
5701 E. Hillsborough Ave. Suite 1122  
Tampa FL 33610

NAME AND  
ADDRESS  
OF INSURED



**Liberty Mutual**  
**INSURANCE**

is, at the issue date of this certificate, insured by the Company under the policy(ies) listed below. The insurance afforded by the listed policy(ies) is subject to all their terms, exclusions and Conditions and is not altered by any requirement, term or condition of any contract or other document with respect to which this certificate may be issued.

TYPE OF POLICY	EXP DATE <input type="checkbox"/> CONTINUOUS <input type="checkbox"/> EXTENDED <input checked="" type="checkbox"/> POLICY TERM	POLICY NUMBER	LIMIT OF LIABILITY	
<b>WORKERS COMPENSATION</b>	9/1/2018	WA7-C8D-004095-027 WC7-C81-004095-017	COVERAGE AFFORDED UNDER WC LAW OF THE FOLLOWING STATES: -027: All States except OH, ND, WA, WY -017: WI	<b>EMPLOYERS LIABILITY</b> Bodily Injury by Accident \$1,000,000 Each Accident Bodily Injury By Disease \$1,000,000 Policy Limit Bodily Injury By Disease \$1,000,000 Each Person
<b>COMMERCIAL GENERAL LIABILITY</b> <input checked="" type="checkbox"/> OCCURRENCE <input type="checkbox"/> CLAIMS MADE	9/1/2018  <div>RETRO DATE</div>	TB2-C81-004095-117 -Per Project Aggregate included.	General Aggregate \$2,000,000 Products / Completed Operations Aggregate \$2,000,000 Each Occurrence \$2,000,000 Personal & Advertising Injury \$2,000,000 Per Person / Organization Other Damage to Premises Rented to You: \$250,000 Other Medical Exp: \$50,000	
<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> OWNED <input checked="" type="checkbox"/> NON-OWNED <input checked="" type="checkbox"/> HIRED	9/1/2018	AS2-C81-004095-127	Each Accident—Single Limit \$2,000,000 B.I. And P.D. Combined Each Person Each Accident or Occurrence Each Accident or Occurrence	
<b>OTHER</b> Automobile policy	9/1/2017 - 9/1/2018	AS2-C81-054502-527	Physical Damage only -\$10,000 Comp DED -\$10,000 Coll DED	
<b>ADDITIONAL COMMENTS</b> Evidence of Coverage.				

\* If the certificate expiration date is continuous or extended term, you will be notified if coverage is terminated or reduced before the certificate expiration date.

**NOTICE OF CANCELLATION:** (NOT APPLICABLE UNLESS A NUMBER OF DAYS IS ENTERED BELOW.)  
BEFORE THE STATED EXPIRATION DATE THE COMPANY WILL NOT CANCEL OR REDUCE THE INSURANCE AFFORDED UNDER THE ABOVE POLICIES UNTIL AT LEAST 30 DAYS NOTICE OF SUCH CANCELLATION HAS BEEN MAILED TO:

**Liberty Mutual  
Insurance Group**

Evidence of Coverage.

Evidence of Coverage.

*Valerie P. Reece*

Valerie Reece

AUTHORIZED REPRESENTATIVE

Fairfield / 049C  
9450 Seward Road  
Fairfield OH 45014

800-332-3226

9/21/2017

OFFICE

PHONE

DATE ISSUED

This certificate is executed by LIBERTY MUTUAL INSURANCE GROUP as respects such insurance as is afforded by those Companies NM 772 07-10



**Lisa Hall**

Marsh USA Inc.  
15 West South Temple, Suite 700  
Salt Lake City, UT 84101  
801 533-3628 Fax 801 533 3610  
Lisa.Hall@marsh.com  
www.marsh.com

October 18, 2017

Subject: PREQUALIFICATION FOR PREFERRED MATERIALS, INC.

To Whom It May Concern:

FEDERAL INSURANCE COMPANY, a corporation under the laws of the State of Indiana, with an office and place of business 202B Hall's Mill Road, Whitehouse Station, NJ 08889, represents PREFERRED MATERIALS, INC. for surety bonding needs.

At the present time, PREFERRED MATERIALS, INC. is in a position to consider single projects up to \$100,000,000 within an aggregate limit of \$1,000,000,000. The statement of these values is neither a commitment nor a limitation of the bonding capacity of PREFERRED MATERIALS, INC. At the request of PREFERRED MATERIALS, INC., FEDERAL INSURANCE COMPANY will give favorable consideration to providing the required performance and payment bonds for any and all highway projects.

Please note that the decision to issue performance and payment bonds is a matter between PREFERRED MATERIALS, INC. and FEDERAL INSURANCE COMPANY, and will be subject to our standard underwriting at the time of the final bond request, which will include but not limited to the acceptability of the contract documents, bond forms and financing. We assume no liability to PREFERRED MATERIALS, INC., third parties or to you if for any reason we do not execute said bonds.

If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Lisa Hall,  
Attorney-In-Fact for Federal Insurance Company  
A++ by A.M. Best Financial Size Category gXV



CHUBB

## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

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

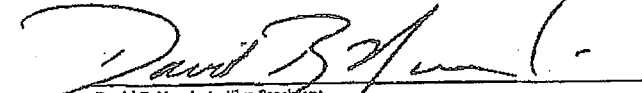
Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Tina Davis, Lisa Hall, Linda Lee Nipper and Lindsey Plattner of Salt Lake City, Utah

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 18<sup>th</sup> day of October, 2016.

  
Dawn M. Chloros, Assistant Secretary



  
David B. Norris, Jr., Vice President



STATE OF NEW JERSEY

County of Somerset

SS

On this 18<sup>th</sup> day of October, 2016 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, 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 Dawn M. Chloros, being by me duly sworn, did depose and say that she 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 she signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that she is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316665  
Commission Expires July 18, 2019

  
Notary Public

### CERTIFICATION

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

"Except as otherwise provided in these By-Laws or by law or as otherwise directed by the Board of Directors, the President or any Vice President shall be authorized to execute and deliver, in the name and on behalf of the Corporation, all agreements, bonds, contracts, deeds, mortgages, and other instruments, either for the Corporation's own account or in a fiduciary or other capacity, and the seal of the Corporation, if appropriate, shall be affixed thereto by any of such officers or the Secretary or an Assistant Secretary. The Board of Directors, the President or any Vice President designated by the Board of Directors may authorize any other officer, employee or agent to execute and deliver, in the name and on behalf of the Corporation, agreements, bonds, contracts, deeds, mortgages, and other instruments, either for the Corporation's own account or in a fiduciary or other capacity, and, if appropriate, to affix the seal of the Corporation thereto. The grant of such authority by the Board or any such officer may be general or confined to specific instances."

I, Dawn M. Chloros, 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 signature of any authorized officer executing this Power of Attorney or any certificate relating thereto on behalf of the Companies, and the seal of the Companies, may be affixed to such Power of Attorney or certificate by facsimile and such Power of Attorney or certificate shall be valid and binding upon the Companies, and any such Power of Attorney so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Companies with respect to any bond or undertaking to which it is attached.
- (iii) 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 the U.S. Virgin Islands, and Federal is licensed in Guam, Puerto Rico, and each of the Provinces of Canada except Prince Edward Island; and
- (iv) 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 October 18, 2017



  
Dawn M. Chloros, 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 THE ADDRESS LISTED ABOVE, OR BY: Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com



## STATE OF FLORIDA

BILL MCCOLLUM  
ATTORNEY GENERAL

May 10, 2010

10-17

Mr. Terrell K. Arline  
Office of County Attorney  
840 West 11<sup>th</sup> Street  
Panama City, Florida 32401

Dear Mr. Arline:

As County Attorney for Bay County, Florida, you have asked for my opinion on substantially the following question:

Can a county require contractors qualified by the Florida Department of Transportation pursuant to section 337.14, Florida Statutes, to possess additional contracting licenses (such as Chapter 489 licenses) as a condition to qualifying to contract for local government entity bridge, road, street, highway, or railroad construction projects?

In sum:

Bay County may require persons seeking to bid on county bridge, road, street, highway, or railroad projects at a cost in excess of \$250,000 to be qualified to perform such work. A prequalified contractor considered eligible by the Florida Department of Transportation to bid to perform the type of work described in the contract is presumptively qualified. The county is required to establish prequalification criteria and procedures for contractors who are not prequalified by the Department of Transportation and the county is not precluded from requiring additional contracting licenses for projects on which those qualifications are relevant to performance, but such a requirement may not be imposed on Florida Department of Transportation prequalified transportation contractors.

Pursuant to the Florida Constitution, noncharter counties such as Bay County have such powers of self-government as are provided by general or special law.<sup>1</sup> In this regard, the Legislature has granted noncharter counties broad powers to carry on county government. Section 125.01(1), Florida Statutes, provides that "[t]he legislative

Mr. Terrell K. Arline  
Page Two

and governing body of a county shall have the power to carry on county government [and to] the extent not inconsistent with general or special law" to exercise the general powers enumerated therein. Section 1(f), Article VIII, Florida Constitution, provides that the governing bodies of non-charter counties may enact ordinances not inconsistent with general or special law. Thus, non-charter counties, pursuant to section 125.01(1), Florida Statutes, may exercise the general powers enumerated therein. Those powers that may be exercised by county governments, however, are ultimately derived from the state and the jurisdiction of every county may be qualified by law.<sup>2</sup>

Section 125.01(1), Florida Statutes, provides that a non-charter county "shall have the power to carry on county government." To the extent there is no conflict with general or special law, this grant includes the power to:

- (h) Establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public.
- (i) Adopt, by reference or in full, and enforce housing and related technical codes and regulations.<sup>3</sup>

Thus, non-charter counties, such as Bay County, have been authorized to enact business regulations that may be necessary for the protection of the public. Regulations applying to the construction industry have been declared to be advantageous to the public health, safety and welfare by the Florida Legislature.<sup>4</sup>

Section 255.20, Florida Statutes, describes the process for bids and contracts for public construction works undertaken by local governmental entities, including counties. The statute authorizes a local governmental entity to adopt criteria and procedures for certain transportation contractors to bid on local construction projects:

- (a) Notwithstanding any other law, a governmental entity seeking to construct or improve bridges, roads, streets, highways, or railroads, and services incidental thereto, at a cost in excess of \$250,000 may require that persons interested in performing work under contract first be certified or qualified to perform such work. A contractor may be considered ineligible to bid if the contractor is behind by 10 percent or more on completing an approved progress schedule for the governmental entity at the time of advertising the work. A prequalified contractor considered eligible by the Department of Transportation to bid to perform the type of work described under the contract is presumed to be qualified to perform the work described. The governmental entity may provide an appeal process to overcome that presumption with de novo review based on the record below to the circuit court.

Mr. Terrell K. Arline  
Page Three

(b) For contractors who are not prequalified by the Department of Transportation, the governmental entity shall publish prequalification criteria and procedures prior to advertisement or notice of solicitation. Such publications must include notice of a public hearing for comment on such criteria and procedures prior to adoption. The procedures must provide for an appeal process within the authority for making objections to the prequalification process with de novo review based on the record below to the circuit court within 30 days.<sup>5</sup>

Thus, a county may develop its own prequalification criteria and procedures for local bids and contracts for public construction works for bridges, roads, streets, highways, or railroads which will cost in excess of \$250,000. Prequalification by the Florida Department of Transportation (DOT) under Chapter 337, Florida Statutes, will present a presumption that the bidder on any such projects is qualified to do the work, but the county may appeal that presumption.

The statute authorizes a local governmental entity to adopt its own criteria and procedures for prequalification of those contractors who are not prequalified by DOT and does not preclude a requirement for additional contracting license requirements for those contractors. In fact, section 255.20(1)(b), Florida Statutes, specifically recognizes that a governmental entity must publish prequalification criteria and procedures for contractors who are not prequalified by DOT prior to advertisement or notice of solicitation so that those contractors who have not qualified with the department may bid on county projects. An appeals procedure must also exist for objections to the local prequalification process.<sup>6</sup>

However, those contractors who have been successfully prequalified by DOT pursuant to section 337.14, Florida Statutes, have been granted a legislative presumption that they are qualified to perform work on county projects. While an appeals process is contemplated by the statute to overcome the presumption, any attempt to impose additional requirements for contracting licenses under Part I, Chapter 489, Florida Statutes, on these contractors would conflict with provisions of general law.<sup>7</sup>

The Legislature, through the adoption of Part I, Chapter 489, Florida Statutes, has enacted regulations applying to the construction industry "in the interest of the public health, safety, and welfare[.]"<sup>8</sup> A contractor subject to Part I, Chapter 489, Florida Statutes, is a person who

for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish,



Mr. Terrell K. Arline  
Page Four

subtract from, or improve any building or structure, including related improvements to real estate[.]<sup>9</sup>

Part I, Chapter 489, Florida Statutes, was adopted to regulate designated trades in the construction industry: "prime contractors designated as general, building, and residential; and subcontractors providing services in the sheet metal, roofing, air conditioning, mechanical, and swimming pool trades."<sup>10</sup> The list of designated trades falling within the scope of the term "contractor" and subject to regulation under Part I, Chapter 489, Florida Statutes, has been expanded over the years, but all of the contractors falling within the scope of this part are involved primarily with residential or commercial building construction.<sup>11</sup>

Section 489.113(2), Florida Statutes, states that "[n]o person who is not certified or registered shall engage in the business of contracting in this state."<sup>12</sup> However, the statutes recognize a number of exemptions from this mandatory language including exemptions for authorized employees of the United States, or a municipality or county, and an exemption for an owner of property when acting as their own contractor.<sup>13</sup>

Section 489.103, Florida Statutes, codifies specific exemptions and states that Part I, Chapter 489, Florida Statutes, does not apply to, among others:

Contractors in work on bridges, roads, streets, highways, or railroads, and services incidental thereto. The board, in agreement with the Department of Transportation, shall, by rule, define "services incidental thereto" for the purposes of this subsection only.

Thus, those persons performing the work described in section 489.103(1), Florida Statutes, are not required to be either certified or registered by the Florida Department of Business and Professional Regulation under Part I, Chapter 489, Florida Statutes to perform this work. They are not involved in trades that are subject to the certification or registration provisions under Part I, Chapter 489, Florida Statutes, and there is no procedure in place for these individuals to secure certification or registration for performing the designated trade as described therein.

While section 489.103(1), Florida Statutes, exempts contractors who work on bridges, roads, streets, highways, or railroads from the licensure provisions of Part I, Chapter 489, Florida Statutes, these contractors are subject to the prequalification procedures administered by DOT. As is mentioned in the discussion above, contractors who have been prequalified by DOT to perform the work described are presumed to be qualified for county transportation construction projects.

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Section 337.14, Florida Statutes, requires DOT to adopt regulations for the qualification of competent and responsible bidders. If an applicant for qualification is found to possess the qualifications prescribed by law, then a certificate of qualification is issued. Such certificate shall authorize the holder to bid on all work on which bids are taken by the department for which the certificate indicates he or she is qualified. In addition, the department has promulgated administrative rules outlining the general procedural requirements for applicants to be certified by the department as qualified to bid on these contracts.<sup>14</sup> The application submitted to the department requests information on the applicant, the applicant's stakeholder, the applicant's affiliates, and will include the applicant firm's background, current and historical contract detail, construction experience, and expertise, financial information and requested classes of work.<sup>15</sup> Audited financial statements are also required to be submitted.<sup>16</sup> A list of equipment owned by the applicant that will be utilized in performing the requested classes of work must be included with the application with its book or salvage value, make, model, and description shown.<sup>17</sup> Applicants are rated based upon their organization and management; equipment; integrity; and financial resources.<sup>18</sup>

These provisions authorize the department to create a roster of contractors who have the experience, equipment, and financial resources to perform the classes of work for which that applicant seeks to be qualified. However, nothing in Chapter 337, Florida Statutes, relates to the registration or certification of contractors or requires that these contractors be tested. Rather, the statute appears to facilitate development of a list for use by DOT of certain construction contractors who have the necessary experience, equipment and financial resources to undertake large construction projects which the department may let for bid.

DOT is authorized to prequalify contractors desiring to bid for the performance of certain construction contracts which the department proposes to let, and this qualification establishes the presumption that a contractor bidding on county contracts is qualified to perform this work. Any attempt by a county to impose additional licensing requirements, such as those set forth in Part I, Chapter 489, Florida Statutes, on transportation contractors prequalified by DOT would appear to conflict with provisions of general law. However, nothing in Chapter 337, Florida Statutes, precludes a county from adopting licensure or examination requirements or other requirements relating to the qualifications of contractors bidding on county projects or enforcing those that the county may currently have in effect when those contractors have not been prequalified by the department.

Therefore, it is my opinion that Bay County may require persons seeking to bid on county bridge, road, street, highway, or railroad projects at a cost in excess of \$250,000 to be qualified to perform such work. A prequalified contractor considered

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eligible by the Florida Department of Transportation to bid to perform the type of work described in the contract is presumptively qualified. The county is required to establish prequalification criteria and procedures for contractors who are not prequalified by the Department of Transportation and the county is not precluded from requiring additional contracting licenses for projects on which those qualifications are relevant to performance but such a requirement may not be imposed on transportation contractors prequalified by the Florida Department of Transportation.

Sincerely,



Bill McCollum  
Attorney General

BM/tgh

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<sup>1</sup> See s. 1(f), Art. VIII, Fla. Const.

<sup>2</sup> See *Cross Key Waterways v. Askew*, 351 So. 2d 1062 (Fla. 1st DCA 1977), *affirmed*, 372 So. 2d 913 (Fla. 1978).

<sup>3</sup> Section 125.01(1)(h) and (i), Fla. Stat.

<sup>4</sup> See s. 489.101, Fla. Stat.

<sup>5</sup> Section 255.20(1), Fla. Stat.

<sup>6</sup> And see s. 255.20(1)(a), Fla. Stat., providing an appeals process for overcoming the prequalification eligibility presumption when a contractor has been prequalified by DOT.

<sup>7</sup> See Art. VIII, s. 1(f), Fla. Const., authorizing non-charter county governments to enact county ordinances "not inconsistent with general or special law," and s. 125.01(1)(h), Fla. Stat., providing that non-charter county governments may act to the extent there is no conflict with general or special law; *Speer v. Olson*, 367 So. 2d 207, 211 (Fla. 1979).

<sup>8</sup> See s. 489.101, Fla. Stat.

<sup>9</sup> See s. 489.105(3), Fla. Stat., defining the term "[c]ontractor."

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<sup>10</sup> See Senate Staff Analysis and Economic Impact Statement, CS/SB 302, (subsequently designated Ch. 79-200, Laws of Fla.), 1979 Session of the Florida Legislature.

<sup>11</sup> Part I, Ch. 489, Fla. Stat., now provides for regulation of such other designated trades in the construction industry as pollutant storage systems contractors and solar contractors.

<sup>12</sup> And see s. 489.115(1), Fla. Stat.

<sup>13</sup> See, e.g., s. 489.103(3) and (7), Fla. Stat., and s. 489.113(2), Fla. Stat., recognizing that a person who is not certified or registered may perform construction work under the supervision of a person who is certified or registered, provided that the work is within the scope of the supervisor's license and provided that the person being supervised is not engaged in construction work which would require a license as otherwise provided.

<sup>14</sup> See Rule 14-22, Fla. Admin. Code.

<sup>15</sup> Rule 14-22.002(1)(a), Fla. Admin. Code.

<sup>16</sup> *Id.*

<sup>17</sup> Rule 14-22.002(3), Fla. Admin. Code.

<sup>18</sup> Rule 14-22.003, Fla. Admin. Code.

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RE: COUNTIES - CONTRACTORS - TRANSPORTATION - ROADS  
AND BRIDGES - RAILROADS - authority of noncharter county to impose  
licensing requirements on transportation construction contractors.  
ss. 125.01, 337.14, and 489.103, Fla. Stat.

# *State of Florida*

## *Department of State*

I certify from the records of this office that PREFERRED MATERIALS, INC. is a Georgia corporation authorized to transact business in the State of Florida, qualified on September 1, 1989.

The document number of this corporation is P25884.

I further certify that said corporation has paid all fees due this office through December 31, 2017, that its most recent annual report/uniform business report was filed on April 18, 2017, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Ninth day of May, 2017*



*Ken DeFoner*  
**Secretary of State**

Tracking Number: CU6832610352

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Foreign Profit Corporation  
PREFERRED MATERIALS, INC.

### Filing Information

<b>Document Number</b>	P25884
<b>FEI/EIN Number</b>	58-1401468
<b>Date Filed</b>	09/01/1989
<b>State</b>	GA
<b>Status</b>	ACTIVE
<b>Last Event</b>	NAME CHANGE AMENDMENT
<b>Event Date Filed</b>	02/03/2014
<b>Event Effective Date</b>	NONE

### Principal Address

4636 SCARBOROUGH DRIVE  
LUTZ, FL 33559

Changed: 10/28/2014

### Mailing Address

4636 SCARBOROUGH DRIVE  
LUTZ, FL 33559

Changed: 10/28/2014

### Registered Agent Name & Address

CORPORATION SERVICE COMPANY  
1201 HAYS STREET  
TALLAHASSEE, FL 32301

Name Changed: 02/01/2013

Address Changed: 02/01/2013

### Officer/Director Detail

#### **Name & Address**

Title Director, CEO

DUKE, ROBERT F  
4636 SCARBOROUGH DRIVE  
LUTZ, FL 33559

ACTION BY WRITTEN CONSENT  
IN LIEU OF AN ANNUAL MEETING OF  
THE BOARD OF DIRECTORS  
OF  
**PREFERRED MATERIALS, INC.**

The undersigned, being all of the members of the Board of Directors of Preferred Materials, Inc., a Georgia corporation (the "*Corporation*"), do hereby, pursuant to applicable Georgia statute, give this written consent (a) to the dispensation of an annual meeting of the Board of Directors of the Corporation and (b) to the taking of the following actions, such actions to have the same force and effect had a meeting been duly called and held:

**I. ELECTION OF OFFICERS**

**RESOLVED**, that effective April 13, 2016 all previous elections of officers are terminated, and the following persons be, and hereby are, elected to serve as officers of the Corporation (each individually, an "*Officer*" and collectively, the "*Officers*") in the capacities set forth opposite their respective names until such time as their successors shall be elected and qualified:

Robert F. Duke	Chief Executive Officer
Earl Losier	President
Charles Brown	Secretary & Treasurer
Darryl W. Fales	Vice President & Assistant Secretary
Domenico D'Aqui	Vice President & Assistant Secretary
Gregory P. Baier	Vice President & Assistant Secretary
Gary Yelvington	Vice President & Assistant Secretary
John R. Hooper	Vice President & Assistant Secretary
John S. Bramonte	Vice President & Assistant Secretary
John W. Taylor	Vice President & Assistant Secretary
Kenneth C. Laing	Vice President & Assistant Secretary
Mark S. Marine	Vice President & Assistant Secretary
Nat Fisher	Vice President & Assistant Secretary
Robert B. Royal	Vice President & Assistant Secretary
Travis Raitt	Vice President & Assistant Secretary
William B. Miller	Admin. Vice President and Assistant Secretary

**FURTHER RESOLVED**, that the Officers be, and each of them hereby is, authorized to execute and deliver agreements, contracts, documents, certificates, and other instruments, under the seal of the Corporation if required, for the purpose of conducting the Corporation's business, including without limitation, selling products and securing construction work, and to take such other action, as they may deem necessary, advisable, convenient, or appropriate to carry out and fully perform duties incident to the office or offices so appointed, and such other duties as may be prescribed by the Board of Directors from time to time;



**FURTHER RESOLVED**, that the following persons are hereby designated Officers solely for the purpose of attesting signatures of other Officers signing on behalf of the Corporation, and for executing and attesting various corporate documents, tax returns, affidavits, and other instruments as may be necessary from time to time:

Amy Schuman	Assistant Secretary & Assistant Treasurer
Angelica Espinal	Assistant Secretary & Assistant Treasurer
Bethany Casimir	Assistant Secretary & Assistant Treasurer
Carmen Sutton	Assistant Secretary & Assistant Treasurer
Elizabeth Stafford	Assistant Secretary & Assistant Treasurer
Jacob Duckett	Assistant Secretary & Assistant Treasurer
Sara Brawner	Assistant Secretary & Assistant Treasurer
Tracy Kinney	Assistant Secretary & Assistant Treasurer
Amber Vickrey	Assistant Secretary
Ashley Turner	Assistant Secretary
Cheryl Kitzis	Assistant Secretary
David Lewis	Assistant Secretary
David M. Toolan	Assistant Secretary
Gary P. Hickman	Assistant Secretary
M. Craig Hall	Assistant Secretary
Marizabed Perez	Assistant Secretary
Michael F. Deaton	Assistant Secretary
Michael G. O'Driscoll	Assistant Secretary
Pamela M. Sahr	Assistant Secretary
Rick Jarvis	Assistant Secretary
Sylvia Rocek	Assistant Secretary
Tamara A. Albright	Assistant Secretary
Wendy Newell	Assistant Secretary

## **II. APPOINTMENT OF AUTHORIZED EMPLOYEES**

**RESOLVED**, that effective April 13, 2016 all previous appointments of authorized employees are terminated, and that the following persons be and each of them hereby is appointed to serve as an authorized employee of the Corporation, which persons shall be authorized to execute and deliver such agreements, contracts, documents, certificates and other instruments, under the seal of the Corporation if required, for the purpose of conducting the Corporation's business including, without limitation, selling products and securing construction work:

Angelia McElroy	Joseph F. Donaruma
Bobbie Reilly	Joshua Martin
Brian Morton	Jon Stebick
Brian Schumm	Lawrence Trace Martell
Carl J. Thompson	Michael Iapaluccio
Charles Blinne	Michael Vickrey
David Cerniglia	Patrick Weaver

Frank Milton  
G. Michael Johnson  
Grant G. Peterson  
Jason Johns  
Jeffrey R. Andrews  
Jennifer K. Edwards  
Jeremy Gerondal  
Jeremy Minnillo  
Jerry F. Fletcher  
John Rauschenbach

Robert Spillman  
Shane Taylor  
Sylvia Rogers  
Ted Kaler  
Tony DiPietro  
Trevor Craig  
W. Charles Molloy  
William Sullivan

**FURTHER RESOLVED**, that the President of the Corporation may, from time to time, without further action by the Board of Directors, appoint other persons to serve as authorized employees, or remove any individuals from this capacity, and to direct those appointed to take such action, as he may deem necessary, advisable, convenient or appropriate to carry out and fully perform the duties incident to the office of President.

### **III. AUTHORIZATION OF TRADE NAMES**

**RESOLVED**, that the activities and operations of the Corporation may be carried on in any of the following manners or styles as may from time-to-time be deemed necessary or appropriate:

#### **Conrad Yelvington Distributors**

**FURTHER RESOLVED**, that the President of the Corporation may, from time to time, without further action by the Board of Directors, authorize the use of additional trade names, and to deem unauthorized any trade name previously authorized, as he may deem necessary, advisable, convenient or appropriate.

### **IV. MISCELLANEOUS**

**RESOLVED**, that all actions previously taken by any Officer of the Corporation appointed hereunder in his/her capacity as such Officer be, and each of them hereby is, adopted, ratified, confirmed and approved in all respects as the authorized acts and deeds of the Corporation;

**FURTHER RESOLVED**, that each undersigned agrees that electronic signatures, whether digital or encrypted, of the Board of Directors are intended to authenticate this consent and to have the same force and effect as manual signatures. As used in the previous sentence, the term "electronic signatures" means any electronic sound, symbol or process attached to or logically associated with this consent and executed and adopted by a member of the Board of Directors with the intent to sign such consent, including, but not limited to, e-mail electronic signatures executed through Adobe® eSign Services; and

**FURTHER RESOLVED**, that this Consent, following execution by all of the members of the Board of Directors, be filed in appropriate order in the minute book of the Corporation.

Signature: Robert F. Duke  
Robert F. Duke (Apr 22, 2016)

Email: rob.duke@preferredmaterials.com

Signature: John J. Keating  
John J. Keating (Apr 24, 2016)

Email: jkeating@oldcastlematerials.com