

**JUPITER COMMUNITY MIDDLE SCHOOL
CLASSROOM MODIFICATION PROJECT
PROJECT #1731-9404
DEPARTMENT OF PROGRAM MANAGEMENT**

Cost Category	Budget Amount
Contractor Base	\$ 444,000.00
Change Orders to date	\$ 0.00
Change Order this item	\$ -41,337.00
Adjusted Purchase Order	\$ 402,663.00
Work Completed to Date	\$ 398,755.00
Less Categories not included in Retainage	\$ 0.00
Work for which retainage is withheld	\$ 398,755.00
Current Retainage (approximately 5%)	\$ 19,938.00
Reduction of Retainage (this item)	\$ -19,938.00
Remaining Retainage (0%)	\$ 0.00

- All punch list items have been completed.

FINANCIAL IMPACT	
The financial impact to the Project's Budget is \$0.00.	

*Unacceptable
per
Diversity*



OFFICE OF DIVERSITY IN BUSINESS PRACTICES
3306 FOREST HILL BLVD., A-106
WEST PALM BEACH, FLORIDA 33406-5813
(561) 434-8508 Telephone
(561) 434-7405 Fax

Board Report
18-Feb-06

PROJECT NAME	PERCENTAGE OF PROJECT COMPLETED	CONTRACTORS NAME	M/WBE FIRM'S NAME	M/WBE STATUS	M/WBE WORK DESCRIPTION	M/WBE FIRM PARTICIPATION PERCENTAGE BASED ON DRAWN AMOUNT:
Jupiter Middle School	100%	Weitz Company	TriCounty Specialties	Hispanic	Doors & Frames	\$402,668.00 2.41%
			Atlantic Flooring	White Female	Flooring	0.98%
						3.40%

Approved By: _____

Date: _____

DATE	EVENT	Contract Amount	Bid M/WBE Goal	Applicable Contract Amount	Award to M/WBE	Paid to M/WBE	% participation	Comments
April-04	Bids received - Weitz was low bidder	\$444,000	15% = \$55,500	\$370,000			n/a	* Owners contingency is \$74,000. 15% of \$370,000 is \$55,500
								Gen Conditis and Overhead and Profit = \$52,876, so amount available for work = \$317,124
4/30/04	Good Faith Estimate provided	\$444,000	15.00%	n/a	Proposed \$20,000	<=====>	7.50%	Prior to award, Weitz notified us that they could not reasonably achieve the 15% goal. They will try to hit 7.5%
5/19/04	Board Award - Construction Commences	\$444,000	15.00%					
6/15/04	Pay Application #1	\$444,000	15.00%	\$317,124	\$34,533	\$0	9.30%	\$370,000 inadvertently used in the % calculation in Pay App 1.
7/15/04	Pay Application #2	\$444,000	15.00%	\$317,124	\$36,551	\$0	11.40%	
8/4/04	T.C.O. Achieved, Classrooms occupied							
8/15/04	Pay Application #3	\$444,000	15.00%	\$317,124	\$36,551	\$15,731	11.40%	
9/4/04	and 9/28/04, Hurricanes							Delayed Completion and closeout
9/15/04	Pay Application #4	\$444,000	15.00%	\$317,124	\$36,551	\$15,731	11.40%	
10/20/04	Reduction In Retainage 10% to 5%	\$444,000	15.00%	\$317,124	\$36,551	\$15,731	8.66%	% determined by Diversity
11/2/04	Certificate Of Completion							
12/22/04	Certificate of Final Completion							
12/23/04	Pay Application #5 Rev 1, COPR for 176 days and \$32,663 in increased cost requested	\$444,000	15.00%	\$402,663	\$36,551	\$15,731	8.66%	Contingency less CCAs revises contract amount to 402,663 did not result in any more M/WBE opportunity. 8.66% is from Diversity.
1/10/05	Final M&PO/Bldg Dept Signoff							
1/26/04	Diversity will not accept Perfect Roofing Nor Grandview Suppliers	\$402,663	15.00%	\$402,663	\$13,713	\$13,713	3.40%	% Participation reduced. Supplier deemed non-MWBE, Roofer could not produce credentials, and in fact just applied days ago for certification.
2/16/05	Requested Board Action	\$402,663	15.00%	\$402,663	\$13,713	\$13,713	3.40%	Add 176 days for hurricanes, and credit the Owners Contingency \$41,337

Attachments	
1	Good Faith Effort Form dated 4/29/04
2	M/WBE Utilization Forms , Pay Apps 1 - 5
3	Diversity Form for 10/20/04 Board Action
4	M/WBE Explanation letter from Weitz 10/8/04
5	Diversity Form for 2/16/05 Board Action - unsigned



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Good Faith Efforts Noncompliance Supplement

NOTE: Completion of this form is not required if established goals are met or exceeded.

CONTRACTOR FIRM The Weitz Company, LLC
 PROJECT NAME Jupiter Middle School Renovations
 PROJECT NUMBER 1731-9404 DATE 04 / 29 / 04

This document is to be completed if bidder fails to achieve the Minority/Women Business Enterprise (M/WBE) goals established for the project. The bidder is allowed to use an alternate method that demonstrates the "good faith efforts" made to meet the goals established as long as all of the requested information is included. Failure to include all requested information shall result in the bid being determined as non-responsive to the M/WBE requirements.

The following list is not intended to be exclusive or exhaustive, and the School District will look not only at the different kinds of efforts the bidder has made, but also the quality, quantity, intensity and timeliness of those efforts. It is the responsibility of the bidder to exercise "Good Faith Efforts." Any act or omission by the District shall not relieve the bidder of this responsibility.

Criteria listed below are excerpted from the School District of Palm Beach County Policy 6.146. A response is required to address each cited paragraph. Additional pages may be added as necessary.

- Attendance at pre-bid conference, if held: Yes No Not Held
- Whether and when the bidder provided written notice to all certified M/WBE's listed in the School District of Palm Beach County Directory that perform the type of work to be subcontracted and advising the M/WBE's of the specific work the bidder intends to subcontract; that their interest in the contract is being solicited; and how to obtain information for the review and inspection of contract plans and specifications.

Provide complete list of all M/WBE's solicited.

Please see attached.

Provide the date letters were transmitted (M/WBE's will be canvassed as to who sent them letters and what date they were received.) Provide a copy of solicitation and all other letters sent to M/WBE's.

Recommended information in your solicitation letter can include, but not be limited to, the following:

- Project specific information.
- Your willingness to assist with supply purchases.
- Bonding requirements of your firm.
- Availability of specifications and plans through your office.
- Best time to reach you by phone (M/WBE firms will be canvassed regarding your responsiveness to their calls and project information they received from your firm.)
- Bid opening date and all addendum information.
- Your requirements/time frames/payment schedules.

- Has the bidder selected feasible portions of work to be performed by M/WBE's, including, where appropriate, breaking contracts or combining elements of work into feasible units? The ability of the bidder to perform work with its own work force will not in itself excuse a bidder from making positive efforts to meet the established goals.

If appropriate, detail any subcontracting category that you have broken down to assist M/WBE firms and list firms that have been made aware of this reduced scope.

SUBCONTRACTING CATEGORY	M/WBE FIRM

CONTRACTOR FIRM The Weitz Company, LLC

4. Has the bidder considered all quotations received from M/WBE's and for those quotations not accepted, the bidder shall provide an explanation of why the M/WBE will not be used during the course of the contract? Receipt of lower quotation from non-M/WBE will not in itself excuse a bidders failure to meet project goals.

List all M/WBE firms who quoted this project, the amount quoted and the successful Subcontractor (if not the M/WBE firm) and their quote.

NAME OF M/WBE

M/WBE'S QUOTE

None

None

VERSUS

NAME OF NON-M/WBE SUBCONTRACTOR CHOSEN

SUBCONTRACTOR'S QUOTE

Farmer & Irwin

\$101,000

Bradford Electric

\$152,000

5. Has the bidder provided interested M/WBE's assistance in reviewing the contract plans and specifications?

Name the M/WBE firms provided assistance, and describe how your firm provided such assistance.

6. Whether the bidder advertised in general circulation, trade association, and/or minority/women - focused media concerning the subcontracting opportunities.

The minority focused papers include:

BLACK

HISPANIC

OTHER

Florida Photo News

Palm Beach Latino

Pennysaver

Palm Beach Gazette

The Spanish Voice

Palm Beach Post

La Voz Hispana

List which papers carried your ad and attach a copy of the ad

CONTRACTOR FIRM The Weitz Company, LLC

7. Has the bidder followed up initial solicitations of interest by contacting M/WBE's to determine with certainty whether the M/WBE was interested?

Name the M/WBE's you followed up with and describe your follow up efforts.

Contacted Stokes Mechanical for bid. Have not received yet.

8. Has the bidder negotiated in good faith with interested M/WBE's, not rejecting M/WBE's as unqualified without sound reasons and based on a thorough investigation of their capabilities?

- a) Provide a detailed statement of the reasons why subcontracts were not entered into with a sufficient number of M/WBE's to meet the established goals.

Of total value \$370,000, \$253,000 is mechanical and electrical of which no bids were received. Of remaining \$117,000, \$25,884 is General Conditions and \$7,073 is self perform work, \$26,992 is Overhead & Profit. \$57,000 worth of work will be put out to re-bid. We estimate participation of \$20,000 or 7 1/2% MWBE.

- b) Provide a list of M/WBE Subcontractors you deemed unqualified and provide an explanation of the conclusion you reached.

- c) For those M/WBE Subcontractors contacted, but determined to be unavailable, provide either:

i) a signed letter to the bidder from the M/WBE stating they are unavailable;

OR

ii) a statement from the bidder that the M/WBE Subcontractor refused to submit a letter after a reasonable request; and a detailed statement from the Bidder of the reasons for the bidder's conclusion.

CONTRACTOR FIRM The Weitz Company, LLC

9. Has the bidder effectively used the services of available minority/women community organizations; minority/women contractors' groups; local state and federal minority/women business assistance offices; and other organizations that provide assistance in the recruitment and placement of minority/women business enterprises?

The following is a partial list of MWBE organizations that may be helpful in locating eligible MWBE's.

ORGANIZATION	PHONE
Florida Dept. Of Management Services	850-487-0915
PBC School District Office of Diversity in Business Practices	561-434-8508

List minority/women organizations contacted.

ORGANIZATION	PERSON CONTACTED	PHONE NUMBER	DATE CONTACTED
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

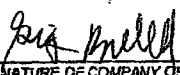
10. Has the bidder utilized MWBE Subcontractors on other School District contracts within the past six (6) months?

List any School District of Palm Beach County projects your firm has performed in the last six (6) months, the MWBE Subcontractors utilized and the dollar value of the MWBE's Subcontractor.

PROJECT NAME	MWBE FIRMS USED	DOLLAR VALUE
<u>Santaluces, H.S.</u>	<u>Almazan Brothers, Inc.</u>	<u>\$249,500</u>
<u>Santaluces, H.S.</u>	<u>Lawrence Fencing, Inc.</u>	<u>\$5,011</u>
<u>Santaluces, H.S.</u>	<u>Horizon A/C</u>	<u>\$401,950</u>
<u>Santaluces, H.S.</u>	<u>Best Rolling Door</u>	<u>\$17,188</u>

11. Describe any additional efforts or circumstances which may assist the School District in determining "Good Faith Efforts."

Of total value \$370,000, \$253,000 is mechanical and electrical of which no bids were received. Of remaining \$117,000, \$25,884 is General Conditions and \$7,073 is self perform work, \$26,992 is Overhead & Profit. \$57,000 worth of work will be put out to re-bid. We estimate participation of \$20,000 or 7 1/2% MWBE.

<u></u>	<u>4/30/04</u>	<u>560 VILLAGE BLVD, SUITE 120</u>
<small>SIGNATURE OF COMPANY OFFICIAL</small>	<small>DATE</small>	<small>COMPANY ADDRESS</small>
<u>KRIS BRUNEL</u>		<u>WEST PALM BCH, FL 33409</u>
<small>PRINT NAME</small>		<small>CITY/STATE/ZIP</small>
<u>SPECIAL PROJECTS MANAGER</u>	<u>(561) 687-4809</u>	<u>(561) 686-1774</u>
<small>POSITION</small>	<small>TELEPHONE</small>	<small>FAX</small>

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Monthly Minority/Women Business Enterprise Subcontractor/Subconsultant Utilization Report

1. Project Name Jupiter Middle	2. Project # 1731-9404	3. Application Number 1	4. Application Date 6/15/04	5. Reporting Period To: 6/30 From: 6/1	6. Minority Goal 15%	7. Scheduled Completion August 2004
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This report is required by The School District of Palm Beach County. Failure to comply may result in the School District commencing proceedings to impose sanctions on the contractor/consultant. In addition to pursuing other legal remedies, sanctions may include the withholding of payments for work committed to Minority/Women Business Enterprise (M/WBE) participants, and a negative recommendation on future bids by the contractor/consultant for the School District of Palm Beach County.

M/WBE CONTRACTOR/CONSULTANT INFORMATION

11 Contractor's Street Address 560 Village Blvd, Suite 120			12. City West Palm Beach		13. State FL		14. Zip Code 33409		15. Project Manager Kris Brunell		9. Telephone # (561) 686-5511		10. Fax # (561) 686-7774	
18. Current Contract Amount \$370,000			19. Total Draw This Month \$89,355			20. % M/WBE Part to Date 9.3%			21. Total Draw on Project From Start \$89,355			17. Mgr's Fax # (561) 686-7774		
												22. % Completed 22%		

23. Subcontractor/Subconsultant Name	24. Minority Status	25. Work Description	26. Certification Exp Date	27. Amount for Project	28. Amount Draw this Month	29. Total Paid to Date	30. Actual Start Date	31. Schedule Com-Date
Grandview	WBE	HVAC Equipment		\$20,820	\$0	\$0	6/2004	8/2004
Tri County Specialties	WBE	Specialties		\$9,722	\$0	\$0	6/2004	8/2004
Atlantic Flooring	WBE	Flooring		\$3,991	\$0	\$0	6/2004	8/2004
				\$34,533				

Commencing on September 1, 1996 partial release of lien is expected from each M/WBE subcontractor/subconsultant and shall accompany any application and certification for payment. Prompt payment to CONTRACTOR/CONSULTANT is dependent on appropriate documentation.

32. Company Accuracy of Report Certification		33. FOR DEPT. OF EQUITY ASSURANCE USE	
Signature	<i>Kris Brunell</i>	Date	6/18/04
Project Manager	Kris Brunell (561) 686-5511		
Title	Telephone Number		

34. STATE OF FLORIDA, PALM BEACH COUNTY

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 28th day of October, 2003

18th June 04

Notary Public, State of Florida

Beth Hershock

My commission expires:

OFFICIAL NOTARY SEAL
 BETH HERSHOCK
 NOTARY PUBLIC STATE OF FLORIDA
 COMMISSION NO. DD011984
 MY COMMISSION EXPIRES

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Monthly Minority/Women Business Enterprise Subcontractor/Subconsultant Utilization Report

1. Project Name Jupiter Middle	2. Project # 1731-9404	3. Application Number 2	4. Application Date 7/15/04	5. Reporting Period To: 7/30 From: 7/1	6. Minority Goal 15%	7. Scheduled Completion August 2004
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M/WBE CONTRACTOR/CONSULTANT INFORMATION

11 Contractor's Street Address 560 Village Blvd, Suite 120			12. City West Palm Beach	13. State FL	14. Zip Code 33409	15. Project Manager Kris Brunell	9. Telephone # (561) 686-5511	10. Fax # (561) 686-7774
18. Current Contract Amount \$370,000		19. Total Draw This Month \$76,311		20. % M/WBE Part to Date 11.4%		21. Total Draw on Project From Start \$161,550		22. % Completed 40%

23. Subcontractor/Subconsultant Name	24. Minority Status	25. Work Description	26. Certification Exp Date	27. Amount for Project	28. Amount Draw this Month	29. Total Paid to Date	30. Actual Start Date	31. Schedule Com-Date
Grandview	WBE	HVAC Equipment		\$20,820	\$7500	\$0	6/2004	8/2004
Tri County Specialties	WBE	Specialties		\$9,722	\$9722	\$0	6/2004	8/2004
Atlantic Flooring	WBE	Flooring		\$3,991	\$3991	\$0	6/2004	8/2004
Perfect Roofing	BBE	Roofing		\$2,018	\$2018	\$0	6/2004	8/2004
					\$36,551			

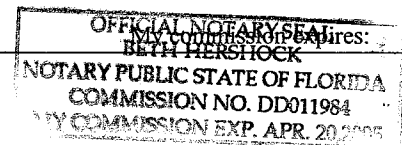
Commencing on September 1, 1996 partial release of lien is expected from each M/WBE subcontractor/subconsultant and shall accompany any application and certification for payment. Prompt payment to CONTRACTOR/CONSULTANT is dependent on appropriate documentation.

32. Company Accuracy of Report Certification	33. FOR DEPT. OF EQUITY ASSURANCE USE
Signature: <i>Kris Brunell</i> Date: 7/13/03	
Kris Brunell Project Manager (561) 686-5511	
Title Telephone Number	

34. STATE OF FLORIDA, PALM BEACH COUNTY

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ~~28th day of October, 2003.~~ *14th day of July 2004*

Beth Herstock
Notary Public, State of Florida



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Monthly Minority/Women Business Enterprise Subcontractor/Subconsultant Utilization Report

1. Project Name Jupiter Middle	2. Project # 1731-9404	3. Application Number 3	4. Application Date 8/15/04	5. Reporting Period To: 7/30 From: 7/1	6. Minority Goal 15%	7. Scheduled Completion August 2004
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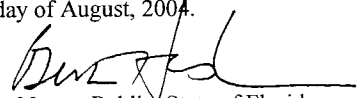
M/WBE CONTRACTOR/CONSULTANT INFORMATION

CONTRACTOR'S NAME The Weitz Company				9. Telephone # (561) 686-5511	10. Fax # (561) 686-7774	
11 Contractor's Street Address 560 Village Blvd, Suite 120	12. City West Palm Beach	13. State FL	14. Zip Code 33409	15. Project Manager Kris Brunell	16. Mgr's Phone # (561) 687-4809	17. Mgr's Fax # (561) 686-7774
18. Current Contract Amount \$370,000	19. Total Draw This Month \$199,654	20. % M/WBE Part to Date 11.4%		21. Total Draw on Project From Start \$361,204	22. % Completed 100%	

23. Subcontractor/Subconsultant Name	24. Minority Status	25. Work Description	26. Certification Exp Date	27. Amount for Project	28. Amount Draw this Month	29. Total Paid to Date	30. Actual Start Date	31. Schedule Com-Date
Grandview	WBE	HVAC Equipment		\$20,820	\$20,820	\$0	6/2004	8/2004
Tri County Specialties	WBE	Specialties		\$9,722	\$9722	\$9722	6/2004	8/2004
Atlantic Flooring	WBE	Flooring		\$3,991	\$3991	\$3991	6/2004	8/2004
Perfect Roofing	BBE	Roofing		\$2,018	\$2,018	\$2018	6/2004	8/2004
				\$36,551	\$36,551			

Commencing on September 1, 1996 partial release of lien is expected from each M/WBE subcontractor/subconsultant and shall accompany any application and certification for payment. Prompt payment to CONTRACTOR/CONSULTANT is dependent on appropriate documentation.

32. Company Accuracy of Report Certification		33. FOR DEPT. OF EQUITY ASSURANCE USE	
Signature <i>Kris Brunell</i>	Date 8/13/04		
Kris Brunell	Project Manager	(561) 686-5511	
	Title	Telephone Number	

34. STATE OF FLORIDA, PALM BEACH COUNTY
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 13th day of August, 2004.

 Notary Public, State of Florida

My commission expires:
 OFFICIAL NOTARY SEAL
 BETH HERSHOCK
 NOTARY PUBLIC STATE OF FLORIDA
 COMMISSION NO. DD011984
 MY COMMISSION EXP. APR. 2007

THE SCHOOL DISTRICT OF PALM BEACH COUNTY

Monthly Minority/Women Business Enterprise Subcontractor/Subconsultant Utilization Report

1. Project Name Jupiter Middle	2. Project # 1731-9404	3. Application Number 4	4. Application Date 9/15/04	5. Reporting Period To: 9/15 From: 7/1	6. Minority Goal 15%	7. Scheduled Completion August 2004
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This report is required by The School District of Palm Beach County. Failure to comply may result in the School District commencing proceedings to impose sanctions on the contractor/consultant. In addition to pursuing other legal remedies, sanctions may include the withholding of payments for work committed to Minority/Women Business Enterprise (M/WBE) participants, and a negative recommendation on future bids by the contractor/consultant for the School District of Palm Beach County.

M/WBE CONTRACTOR/CONSULTANT INFORMATION

11 Contractor's Street Address 560 Village Blvd, Suite 120		12. City West Palm Beach	13. State FL	14. Zip Code 33409	15. Project Manager Kris Brunell		9. Telephone # (561) 686-5511	10. Fax # (561) 686-7774		
18. Current Contract Amount \$370,000		19. Total Draw This Month \$19,938		20. % M/WBE Part to Date 11.4%		21. Total Draw on Project From Start \$398,755		17. Mgr's Fax # (561) 686-7774		
23. Subcontractor/Subconsultant Name		24. Minority Status	25. Work Description		26. Certification Exp Date	27. Amount for Project	28. Amount Draw this Month	29. Total Paid to Date	30. Actual Start Date	31. Schedule Com-Date
Grandview		WBE	HVAC Equipment			\$20,820	\$20,820	\$0	6/2004	8/2004
Tri County Specialties		WBE	Specialties			\$9,722	\$9722	\$9722	6/2004	8/2004
Atlantic Flooring		WBE	Flooring			\$3,991	\$3991	\$3991	6/2004	8/2004
Perfect Roofing		BBE	Roofing			\$2,018	\$2,018	\$2018	6/2004	8/2004
						\$36,551	\$36,551			

Commencing on September 1, 1996 partial release of lien is expected from each M/WBE subcontractor/subconsultant and shall accompany any application and certification for payment. Prompt payment to CONTRACTOR/CONSULTANT is dependent on appropriate documentation.

32. Company Accuracy of Report Certification		33. FOR DEPT. OF EQUITY ASSURANCE USE	
Signature <i>Kris Brunell</i> (RB)	Date 9/13/04		
Project Manager Kris Brunell	(561) 686-5511		
Title	Telephone Number		

34. STATE OF FLORIDA, PALM BEACH COUNTY

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ~~13th~~ day of August, 2004.
16th day of Sept. 2004

Beth Hershock
Notary Public, State of Florida

My commission expires:

OFFICIAL NOTARY SEAL
BETH HERSHOCK
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD011964
COMMISSION EXP. 08/31/05

SEP. 10. 2000 3:32AM

No. 1140 P. 6

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Monthly Minority/Women Business Enterprise Subcontractor/Subconsultant Utilization Report

1. Project Name Jupiter Middle	2. Project # 1731-9404	3. Application Number 5	4. Application Date 12/23/04	5. Reporting Period To: 12/15 From: 7/1	6. Minority Goal 15%	7. Scheduled Completion August 2004
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This report is required by The School District of Palm Beach County. Failure to comply may result in the School District commencing proceedings to impose sanctions on the contractor/consultant. In addition to pursuing other legal remedies, sanctions may include the withholding of payments for work committed to Minority/Women Business Enterprise (M/WBE) participants, and a negative recommendation on future bids by the contractor/consultant for the School District of Palm Beach County.

M/WBE CONTRACTOR/CONSULTANT INFORMATION				CONTRACTOR'S NAME The Weitz Company		9. Telephone # (561) 686-5511	10. Fax # (561) 686-7774
11. Contractor's Street Address 560 Village Blvd, Suite 120		12. City West Palm Beach	13. State FL	14. Zip Code 33409	15. Project Manager Kris Brunell	16. Mgr's Phone # (561) 687-4809	17. Mgr's Fax # (561) 686-7774
18. Current Contract Amount \$370,000		19. Total Draw This Month \$23846		20. % M/WBE Part to Date 11.4%		21. Total Draw on Project From Start \$402,663	22. % Completed 100%

23. Subcontractor/Subconsultant Name	24. Minority Status	25. Work Description	26. Certification Exp Date	27. Amount for Project	28. Amount Draw this Month	29. Total Paid to Date	30. Actual Start Date	31. Schedule Com-Date
Grandview	WBE	HVAC Equipment		\$20,820	\$20,820	\$0	6/2004	8/2004
Tri County Specialties	WBE	Specialties		\$9,722	\$9722	\$9722	6/2004	8/2004
Atlantic Flooring	WBE	Flooring		\$3,991	\$3991	\$3991	6/2004	8/2004
Perfect Roofing	BBE	Roofing		\$2,018	\$2,018	\$2018	6/2004	8/2004
				\$36,551	\$36,551			

Commencing on September 1, 1996 partial release of lien is expected from each M/WBE subcontractor/subconsultant and shall accompany any application and certification for payment. Prompt payment to CONTRACTOR/CONSULTANT is dependent on appropriate documentation.

32. Company Accuracy of Report Certification		33. FOR DEPT. OF EQUITY ASSURANCE USE	
<i>Kris Brunell</i>	Signature	Date 12/15/04	
Kris Brunell	Project Manager	(561) 686-5511	
	Title	Telephone Number	

34. STATE OF FLORIDA, PALM BEACH COUNTY
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ~~13th~~ *23rd* day of ~~August~~ *Dec.*, 2004.
 Notary Public, State of Florida
[Signature]
 OFFICIAL NOTARY SEAL
 BE MY COMMISSION EXPIRES:
 DEPT. PUBLIC STATE OF FLORIDA
 COMMISSION NO. DD011901
 EXPIRES APR. 2007



OFFICE OF DIVERSITY IN BUSINESS PRACTICES
 3800 FOREST HILL BLVD., A-106
 WEST PALM BEACH, FLORIDA 33408-5818
 (561) 434-8508 Telephone
 (561) 434-7405 Fax

approved

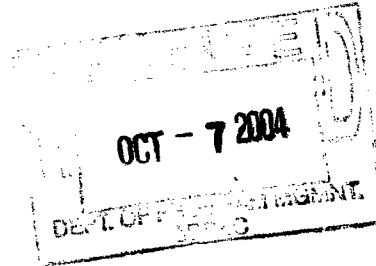
Board Report
 20-Oct-04

PROJECT NAME	PERCENTAGE OF PROJECT COMPLETED	CONTRACTOR'S NAME	M/WBE FIRM'S NAME	M/WBE STATUS	M/WBE WORK DESCRIPTION	M/WBE FIRM PARTICIPATION PERCENTAGE BASED ON DRAWN AMOUNT:
						\$898,755.00
Jupiter Middle School	100%	The Weitz Company	Grand View	White Female	HVAC Equipment	5.22%
			Tri-County Specialties	White Female	Specialties	2.44%
			Atlantic Flooring	White Female	Flooring	1.00%
			Total MWBE Percentage Participation			8.66%

Approved By: *[Signature]*

Date: 7/30/04

THE WEITZ COMPANY
560 Village Blvd., Suite 120
West Palm Beach, FL 33409-1963
561-686-5511
Fax: 561-686-7774



October 7, 2004



Carey Kelly
School District of Palm Beach County
3300 Forest Hill Boulevard, Suite C331
West Palm Beach, FL 33406

Re: Project #1731-9404 Jupiter Middle School – MWBE Participation

Dear Carey:

In regards to the MWBE participation for project #1731-9404, our total initial contract value was \$370,000, of which \$253,000 is mechanical and electrical. We solicited bids from certified MWBE contractors for these trades, but did not receive any. Neither Stokes Mechanical nor Hyvac would bid to us. Of the remaining \$117,000, \$25,884 was general conditions, \$26,992 overhead and profit, and \$7,073 self performed work. We re-bid the remaining \$57,000 with an estimated participation of \$20,000 or 7.5% for MWBE.

We exceeded the 7.5% goal with a total of 11.5% participation for total subcontracted amount. This is based on the total contract amount less general conditions and profit (\$36,551/\$317,124). Participation would be 9.9% if general conditions and profit are included in the calculation.

Concerning Perfect Roofing, we initially contracted with Milestone Construction, a certified MWBE contractor. We later became aware that Milestone Construction brokers all of their roofing work out to another BBE contractor, Perfect Roofing. We were approached by Perfect Roofing, and later confirmed with Milestone Construction, that due to financial difficulties, Milestone Construction would have difficulties meeting their financial responsibilities. We came to a mutual agreement and assigned the contract to Perfect Roofing when we became aware of this. I have made numerous requests to Perfect Roofing to produce certification of their MWBE status, but have to this date been unsuccessful. However, it should be Milestone construction was the *CERTIFIED MWBE contractor.*

cf for KB.

I feel very strongly that even with the unusual nature of this project, we have made

GENERAL CONTRACTOR • DESIGN - BUILDER • CONSTRUCTION MANAGER
Denver • Des Moines • Kansas City • Omaha • Phoenix • West Palm Beach

*emailed to: Jim Kunnard
Wes Christie*

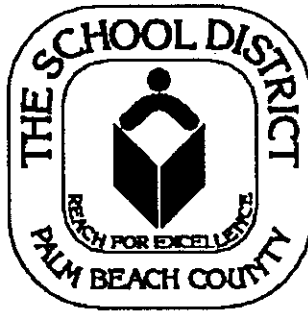
Page 2



every attempt to meet the MWBE requirements and exhibited strong good faith efforts by exceeding our original estimated goal.

Sincerely,

Kris Brunell
Special Projects Manager



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
BUILDING DEPARTMENT

Certificate of Completion

This Certificate is issued certifying that this project has been inspected for final completion. At the time of issuance of this Certificate, all required work has been completed and is in compliance with the applicable technical building codes, design plans and specifications.

Project Name TECHNOLOGY IMPROVEMENTS

Project Number 1731-9404

School/Facility JUPITER MIDDLE SCHOOL

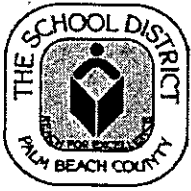
Address 15245 N. MILITARY TRAIL
JUPITER, FL 33458

Tom Hogarth Digitally signed
by Thomas
Hogarth

11/12/04

SIGNATURE OF SCHOOL DISTRICT OF PALM BEACH COUNTY
BUILDING OFFICIAL

DATE



THE SCHOOL DISTRICT
OF PALM BEACH COUNTY, FLORIDA

BUILDING DEPARTMENT
3300 SUMMIT BOULEVARD
WEST PALM BEACH, FLORIDA 33406

(561) 687-7180 FAX: (561) 688-7654

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

THOMAS HOGARTH, P.E.
DIRECTOR

August 4, 2004

Mr. Kris Brunell
The Weitz Company
560 Village Boulevard, Suite 120
West Palm Beach, Florida 33409

Re: Temporary Certificate of Occupancy

School/Campus: Jupiter Middle School
School Code: 1731-9404
Project Name: Classroom Technology Improvements
Senior Administrator: Carey Kelly
Architect/Engineer: Marion, Paluga & Associates
Contractor: The Weitz Company

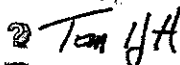
Dear Mr. Brunell:

The above referenced facility has been inspected for compliance with the Florida Building Code and the Fire Prevention Code. No critical deficiencies were noted and the building can be occupied.

You may visit our Web site to view updated comments for this project. The e-mail address is <http://FM.palmbeach.k12.fl.us/inspector>. A Certificate of Occupancy will not be issued until all items are corrected and re-inspected.

Please contact our office with any questions and to schedule a re-inspection.

Sincerely,


Thomas Hogarth, Director
Building Department

TH:shy

c: Joseph M. Moore, Chief Operating Officer
Joseph M. Sanches, Chief of Facilities Management
Thomas Johns, Director of Program Management
Martin Mets, Director of Maintenance & Plant Operations
Carey Kelly, Senior Administrator
Burley Mondy, Jr., Principal

Q:\PROJECT REVIEWS\PROGRAM\MGMT\JUPITER MIDDLE\TCO - 8-4-04.doc

AN EQUAL OPPORTUNITY EMPLOYER
PALM BEACH COUNTY SCHOOLS #3 IN THE NATION!
WWW.PALMBEACHSCHOOLS.ORG FOR DETAILS

FLORIDA DEPARTMENT OF EDUCATION
Office of Educational Facilities

CERTIFICATE OF FINAL INSPECTION

TO: Office of Educational Facilities (OEF) 325 West Gaines Street, Room 1054 Tallahassee, Florida 32399-0400 (850) 245-0494, SUNCOM 205-0494 Fax (850) 245-0494 S/C 205-0494 or (850) 245-9304 S/C 205-9304	OEF USE ONLY
INSTRUCTIONS: Submit for OEF files one copy of the completed form for all projects with construction costs exceeding \$200,000. Mark the appropriate term in each parenthesis. Reproduce form in sufficient quantity for your use. Section 1013.37(2)(c), F.S.	

RE: NA OEF Assigned Project Number

THE SCHOOL DISTRICT OF PALM BEACH COUNTY (School District Community College)

JUPITER MIDDLE SCHOOL (School Name Campus)

1731-9404 (School College) Code Number

RENOVATIONS FOR TECHNOLOGY IMPROVEMENTS IN VARIOUS SPACES Description of Project

SECTION A: BOARD'S ACCEPTANCE

Upon the recommendation of our Project (Architect Engineer) in his certification in Section B below, in accordance with Chapter 1013, F.S., THE BOARD ACCEPTED the above referenced project on _____

Name (Type or Print) _____

Signature: _____ Date: _____
(Superintendent President)

SECTION B: ARCHITECT ENGINEER) CERTIFICATION

As PROJECT (ARCHITECT ENGINEER), I have inspected this project and, in my considered professional opinion, the work required by the contract for this project has been completed in accordance with approved contract documents; Chapter 1013, Florida Statutes, SBE Rules 6-2.001, FAC, Chapter 553, FS, and the Florida Building Code.

Signature: *[Signature]* Date: DECEMBER 22, 2004

Firm Name: MPA ARCHITECTS, INC.

Address: 1801 CENTREPARK DRIVE EAST, SUITE 175, WESTPALM BEACH, FL 33401
Street/P.O. Box City State Zip

SECTION C: Uniform Building Code Inspector Building Official Other (Specify) Certification

I have inspected the project and, in my considered opinion, it is complete and in accordance with applicable statutes, rules, and codes.

Name (Type or Print) Wes Christie

Signature: *[Signature]* Date: 12/22/04

Uniform Building Code Inspector Building Official Other Certified Inspector

SECTION D: FACILITY INFORMATION.

1. TYPE OF PROJECT: <input type="checkbox"/> New Plant <input type="checkbox"/> Addition <input type="checkbox"/> Remodeling <input type="checkbox"/> Renovation <input type="checkbox"/> _____	2. CORRECTED "SPACE INVENTORY REPORT" (land, building, room) HAS BEEN FILED WITH THE OEF: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If "No," explain: _____
3. SOURCE OF FUNDS: <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> _____	4. ADJUSTED FINAL CONTRACT AMOUNT: \$ <u>402,663.00</u> 5. PROJECT GROSS SQUARE FOOTAGE: <u>NA</u> SQ. FT. 6. COST PER GROSS SQUARE FOOT: \$ <u>NA</u> 7. COST PER STUDENT STATION: \$ <u>NA</u>

CERTIFICATE OF FINAL INSPECTION (CFI)

8. BUILDING CONTRACT DATE: MAY 19, 2004 COMPLETION DATE: SEPTEMBER 20, 2004

9. CHANGE ORDERS - List of each Change Order and amount:

C.O. No. <u>ONE - (\$41,337)</u> \$ _____	C.O. No. _____ \$ _____
C.O. No. _____ \$ _____	C.O. No. _____ \$ _____
C.O. No. _____ \$ _____	C.O. No. _____ \$ _____
C.O. No. _____ \$ _____	C.O. No. _____ \$ _____

10. Date of Occupancy: AUGUST 5, 2004

11. Additional Information:

- 1.) FEDERAL BOND NO. 8187-60-88
- 2.) ST. PAUL FIRE & MARINE BOND NO. 400TA5665

**CONSENT OF SURETY
TO FINAL PAYMENT**

AIA Document G707

(Instructions on reverse side)

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

OWNER
 ARCHITECT
 CONTRACTOR
 SURETY
 OTHER

TO OWNER:
(Name and address)

ARCHITECT'S PROJECT NO.: PROJECT NO. 1731-9404

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA
33220 FOREST HILL BOULEVARD
WEST PALM BEACH, FL 33406

CONTRACT FOR: RENOVATION TO JUPITER MIDDLE SCHOOL

PROJECT:
(Name and address)

CONTRACT DATED: MAY 14, 2004

RENOVATION TO JUPITER MIDDLE SCHOOL
JUPITER, FL

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

- 1.) FEDERAL INSURANCE COMPANY, 15 MOUNTAIN VIEW ROAD, WARREN, NJ 07051
- 2.) ST. PAUL FIRE AND MARINE INSURANCE COMPANY, 385 WASHINGTON STREET, MAIL CODE 105D, ST. PAUL, MN 55102

SURETY,

on bond of
(Insert name and address of Contractor)

THE WEITZ COMPANY, LLC
560 VILLAGE BLVD., SUITE 120
WEST PALM BEACH, FL 33409

CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to

(Insert name and address of Owner)

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA
33220 FOREST HILL BOULEVARD
WEST PALM BEACH, FL 33406

OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **SEPTEMBER 17, 2004**
(Insert in writing the month followed by the numeric date and year.)

(2.) ST. PAUL FIRE AND MARINE INSURANCE COMPANY

(1.) FEDERAL INSURANCE COMPANY

MALCOLM G. MCCAMPBELL, ATTORNEY-IN-FACT
AND FLORIDA LICENSED RESIDENT AGENT

(Signature)
(Signature of authorized representative)

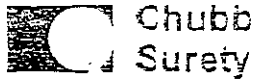
Attest:
(Seal): *Audrey E. Boyd*
AUDREY E. BOYD, WITNESS

MALCOLM G. MCCAMPBELL, ATTORNEY-IN-FACT AND
AND FLORIDA LICENSED RESIDENT
AGENT



CAUTION: You should sign an original AIA document that has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced. See Instruction Sheet for Limited License for Reproduction of this document.





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 Malcolm G. McCampbell, Sam L. Ellington and Tracy W. Lambert of W. Palm Beach, Florida-----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds (other than bail bonds) and undertakings given or executed in the course of its business (but not to include any instruments amending or altering the same, nor 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 15th day of April, 1999

Kenneth C. Wendel, Assistant Secretary

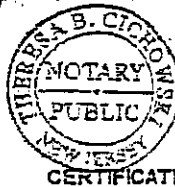
Gerardo G. Mauriz, Vice President

STATE OF NEW JERSEY }
County of Somerset }

On this 15th day of April, 1999 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with Gerardo G. Mauriz, and knows him to be Vice President of said Companies; and that the signature of Gerardo G. Mauriz, subscribed to said Power of Attorney is in the genuine handwriting of Gerardo G. Mauriz, and was thereto subscribed by authority of said By-Laws and in deponent's presence.



Theresa B. CICHOWSKI
Notary Public, State of New Jersey
No. 0014101
Commission Expires July 27, 2001



Notary Public

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

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

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

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

Given under my hand and seals of said Companies at Warren, NJ this 17th day of SEPTEMBER, 2004



Kenneth C. Wendel, Assistant Secretary

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

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc. on September 2, 1998, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or any Vice President, or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached; and

RESOLVED FURTHER, that Attorney(s)-in-Fact shall have the power and authority, and, in any case, subject to the terms and limitations of the Power of Attorney issued them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, Thomas E. Huibregtse, Assistant Secretary of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc. do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I hereunto set my hand this 17th day of SEPTEMBER, 2004.



Thomas E. Huibregtse

Thomas E. Huibregtse, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 and ask for the Power of Attorney clerk. Please refer to the Power of Attorney number, the above-named individuals and the details of the bond to which the power is attached.

**Palm Beach County School District
Department of Program Management**

Thomas E. Johns
Director of Program Management
3300 Forest Hill Blvd., Suite C-331
West Palm Beach, FL 33406
Phone: 434-8867 Fax: 434-8461
email: johnst@palmbeach.k12.fl.us

MEMORANDUM

DATE: 12/23/04
TO: Joseph Sanches, Chief of Facilities Management
FROM: Martin Mets, Director of Maintenance & Plant Operations
Thomas Hogarth, Director of the Building Department
Thomas Johns, Director of Program Management
SUBJECT: Approval of Final Payment

Project Name: Jupiter Middle School Classroom Tech Project No.: 1731-9404

Please be advised that the above-referenced project has been completed. We recommend the contract be closed and final payment be made.

Maintenance and Plant Operations: All punch list items identified by Maintenance and Plant Operations (MP&O) staff have been completed to our satisfaction for the contract or phase of the contract for which final payment is now being sought. M&PO staff has received the necessary training and received a copy of the "as-built" drawings, warranties and operation and maintenance manuals.

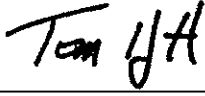
Martin A. Mets
Print Name


Signature

Martin A. Mets
2005.01.10
09:35:39
-05'00'
Date

Building Department: All Building Code-related items and District Design criteria have been completed and the Building Department has issued a final Certificate of Occupancy for all permitted buildings and exterior work included in the contract or phase of the contract for which final payment is now being sought.

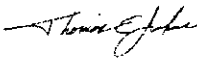
Thomas Hogarth
Print Name


Signature

Digitally signed by
Thomas Hogarth
Date: 2005.01.10
14:06:51 -05'00'
Date

Program Management: All work including all punch list items and training have been completed and all required close-out documents including, but not limited to, "as-built" drawings, operation and maintenance manuals, testing and balancing reports, final lien waivers, warranties and the release of surety have been properly submitted for the contract or phase of the contract for which final payment is now being sought. To my knowledge there are no outstanding claims either by the contractor or the subcontractors against the School District or the School District against the contractor or his subcontractors.

Thomas E Johns
Print Name


Signature

Digitally signed by Thomas E Johns
DN: CN = Thomas E Johns, C =
US, O = SDPBC, OU = Program
Management
Date: 2005.01.10 15:49:34 -05'00'
Date

Attachments: Certificate of Final Inspection (OEF 209)
Certificate of Occupancy
Initiated By: Danielle Varner