

BOARD OF COUNTY COMMISSIONERS

GULF COUNTY, FLORIDA

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Commissioner3

From: Joanna Bryan <jeb@jebryanlaw.com>
Sent: Wednesday, November 06, 2013 11:55 AM
To: Llanier@gulfcountry-fl.gov
Cc: 'Kari Summers'; commissioner3@gulfcountry-fl.gov
Subject: Fw: Americus Ditch Project - Documentation
Attachments: Americus Ditch.pdf

Lynn:
Please include the attached information in the information packet for November 12th.
Thanks,
Joanna

-----Original message-----

From: Joanna Bryan <jeb@jebryanlaw.com>
To: jeb@jebryanlaw.com
Sent: Wed, Nov 6, 2013 16:35:14 GMT+00:00
Subject: Fw: Americus Ditch Project - Documentation

Joanna E. Bryan, P.A.
Attorney at Law
202 Marina Drive, Suite 301
P.O. Box 912
Port St. Joe, FL 32457
850-227-2525
Jeb@jebryanlaw.com

-----Original message-----

From: George Norris <George.Norris@TheNorrisAgency.com>
To: jeb@jebryanlaw.com
Sent: Wed, Nov 6, 2013 15:59:11 GMT+00:00
Subject: Americus Ditch Project - Documentation

Thank You,

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2013 NOV - 6 PM 12:49

Americus Ditch - Additional Information Request

Mon 9/2/2013 7:58 PM

From: commissioner3@gulfcountry-fl.gov

To: Donald Butler

Don,

As you are aware I have presented some of my preliminary findings relating to contract documentation deficiencies associated with the Americus Ditch Project at the August 27, 2013 Gulf County BOCC meeting. This memo is being sent as a follow-up to my comments during that meeting. I am requesting that you carefully review my initial findings which are noted below for your ease of reference. Subsequent to your review of my findings and your own review of the file, I respectfully request that you respond to the questions that are posed at the end of this memo. Specifically, I offer the following for your consideration:

AMERICUS DITCH PROJECT

Contractor: Bailey & Sons' Diversified, Inc. - Bradley G. Bailey, President - Wewahitchka

Date of Bid: October 19, 2007

Date of Contract: October 23, 2007

Amount of Original Contract: \$329,269.18

Final Contract Amount: \$344,883.57

Date of Notice To Proceed: January 2, 2008

Engineer: Preble-Rish

INSURANCE DEFICIENCIES:

- **No Proof of Workers' Comp** - No COI provided - No Proof of Workers' Comp provided at time of bid - No work comp coverage in Florida at time of bid or signing of contract or commencement of job
- **Felony for a contractor to operate without required workers' comp**
- **Unlimited liability** for Gulf County to allow contractor to work without workers' comp
- **General Liability** - No language for Additional Insured Status - Rating of carrier?

Bond Deficiencies:

- **NO BID BOND PROVIDED AT TIME OF BID!** Letter from bonding agent (Bowditch Insurance) stating that the single job bonding limit for Bailey was \$250,000 was provided at time of bid - which on its face is far less than the \$329,269.18 which was bid by Bailey & Sons'
- **Huge violations of bidding terms** - Bid Bond was due at time of bid - Performance Bond was due within 10 days of contract signing on October 23, 2007 - Thus PBond due on November 2, 2007 - or forfeit Bid Bond - but no Bid Bond to forfeit.
- **Final Performance Bond not provided until January 16, 2008**

Completion Time Frame Issues:

Agreement says that work would commence within 10 days of Notice To Proceed and that work would be completed within 120 days - Notice To Proceed was dated -January 2, 2008. Work should have commenced by January 12, 2008. Final Application & Certification For Payment was dated October 9, 2008. This final payment approval was 151 days past the time that the project should have been completed. Liquidated damages specified in the contract were \$250 per day. Total penalty due from contractor should have been approximately \$37,750.

Additional Costs and Ongoing Problems of Project

As of August 1, 2013 Gulf County personnel have repaired 130 leaks associated with this project at a cost of \$37,926.74. At this time county personnel are aware of approximately 16 additional leak problems that will need to be addressed at a yet to be determined cost.

Questions relating to the Americus Ditch Project:

1. Who had the responsibility to review and approve the documentation submitted with the bid as being satisfactory?
2. Who approved and awarded this bid? Name of person or persons who made this decision. (Don, I know that you stated during the meeting that the BOCC awarded the bid. I understand that they ultimately made the award, however unless times were different then the BOCC did not review the underlying documents. I need to know who had that responsibility.)
3. Why would bid have been approved when the bonding agent for Bailey & Sons indicated that they could not bond for the amount of the bid? A bid bond was a required element at the time of bid in order to qualify as a bidder - so why would they have been allowed to bid and why would they have been awarded the bid without the proper bid bond?
4. Why would this bid have been approved without proof of workers' comp when failure to have workers' comp is a felony in the state of Florida? And when proof of workers' comp was a required element in order to be an approved bidder? Was proof of workers' comp ever required or obtained from Bailey & Sons?
5. Who made the decision not to pursue liquidated damages? Given that there was bond in place the pursuit of liquidated damages would have required nothing more than making a claim on the bond.
6. Who made the decision not to pursue repair costs associated with the shoddy work?
7. What efforts or financial contributions has Gulf County seen from the Project Engineer Preble-Rish regarding the problems and costs relating to this project?
8. Another required element of this job was that the contractor be FDOT qualified. Accordingly, please provide me with a copy of the Certificate of Qualification from the FDOT for Bailey & Sons that was obtained as part of this contract award.
9. Please provide me with the name and title for the person(s) who executed each of the draw request approvals. It appears that these were executed by various persons and I am unable to read their names.

10. Please provide me with the total amount that has been expended for engineering fees related to this project.
11. You stated in the BOCC meeting that the then BOCC made all decisions regarding this bid and subsequent contract. Please provide copies of all correspondence from Preble Rish, yourself, or other staff members advising the BOCC of the issues described above.

I greatly appreciate your assistance in clarifying my understanding of the process that was followed with this project. I ask your patience in advance in that I do anticipate the possible need for additional information and clarification regarding this matter once I've reviewed the information I expect to receive from you pursuant to my request above.

Best Regards,

Joanna Bryan

Donald Butler

From: commissioner3@gulfcountry-fl.gov
Sent: Sunday, July 28, 2013 6:22 PM
To: Donald Butler
Cc: Lynn Lanier
Subject: Americus Ditch Information

Don,

Per the public inquiry made by my constituent Mr. Bill Koran during his address to the BOCC at our regular meeting of July 23, 2013 I respectfully request that you provide me with the following items/information pertaining to the Americus Ditch Project:

- ✓ • **Bid tabulation sheet**
- ✓ • **Original Contract**
- ✓ • **Payment and Performance Bond**
- ✓ • **Certificate of Insurance provided to Gulf County by the contractor**
 - **Certificate of Insurance provided by the Project Engineer**
- ✓ • **Design Engineer - Is this the same as the Project Engineer?**
- ✓ • **Change Orders**
- ✓ • **Progress payment requests & approvals by the project engineer**
 - **Date of project completion**
- ✓ • **Final contract amount**
- ✓ • **Number of times that county personnel have worked on this project since its completion date**
- ✓ • **Total cost to Gulf County for personnel and equipment utilized on this project since its completion date**

- **Any and all known problems relating to this project which are still unresolved and ongoing**
- **Any and all potential problems relating to this project**
- **Any other relevant information which I may have neglected to request that you feel would be beneficial to the understanding of this project**

Let me thank you in advance for your assistance in providing this information.

Joanna

**Joanna Bryan
County Commissioner
850-340-0013**

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/18/2007

PRODUCER
Blackwell Insurance Agency
205 West 7th Street
P.O. Box 520
Panama City FL 32402

INSURED Bailey & Son's Diversified, Inc
3844 Hwy 22
Wewahatchee FL 32485

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: ODC	
INSURER B: Progressive	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

LINE	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PER-ACCIDENT <input type="checkbox"/> LOC	MPG68863	03/01/2007	03/01/2008	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP (Per one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	03683793-0	08/22/2007	08/22/2008	COMBINED SINGLE LIMIT (Per accident) \$ 300,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AGG \$ AUTO ONLY: AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below. OTHER				<input type="checkbox"/> WC STAT-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Scheduled Equipment	MPG68863	03/01/2007	03/01/2008	限额 PC120LC-6 \$500,000 Value: \$55,000 ACV

NO Work Comp Show

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER
Gulf County Board Of County Commissioners
1880 Cecil G. Coats Blvd.
Port St. Joe, FL 32468

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING MEMBER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE ISSUER, ITS AGENTS OR REPRESENTATIVES.
AUTHORIZED REPRESENTATIVE

Employer Detail Page

Carrier Location Information

[Return to Search Page](#)

Employer Information

Employer Name	Employer Type	NAICS Code
BAILEY & SON'S DIVERSIFIED INC	CORPORATION	238220

Coverage History

Locations	Governing Class Code*	Effective Date	Cancellation Effective at 12:01 A.M.	Carrier Office	Policy Number	Wrap Up
View Locations	05845	Jan 1 2010	Jan 1 2010	LION INSURANCE COMPANY	WC71948	NO
View Locations	09014	Jan 1 2009	Jun 19 2009	GUARANTEE INSURANCE CO	GPE0170000001109	NO
View Locations	05474	Jan 20 2008	Jan 1 2009	GUARANTEE INSURANCE CO	GPE0170000001108	NO
View Locations	06229	May 11 2006	May 11 2007	RETAILFIRST INSURANCE COMPANY	52035747	NO

*Represents the Governing Class Code associated with the Named Insured on the policy, as reported by the Insurance Carrier, and is not validated as correct.

Exemption Listings

No Officer Exemption of Coverage Listings

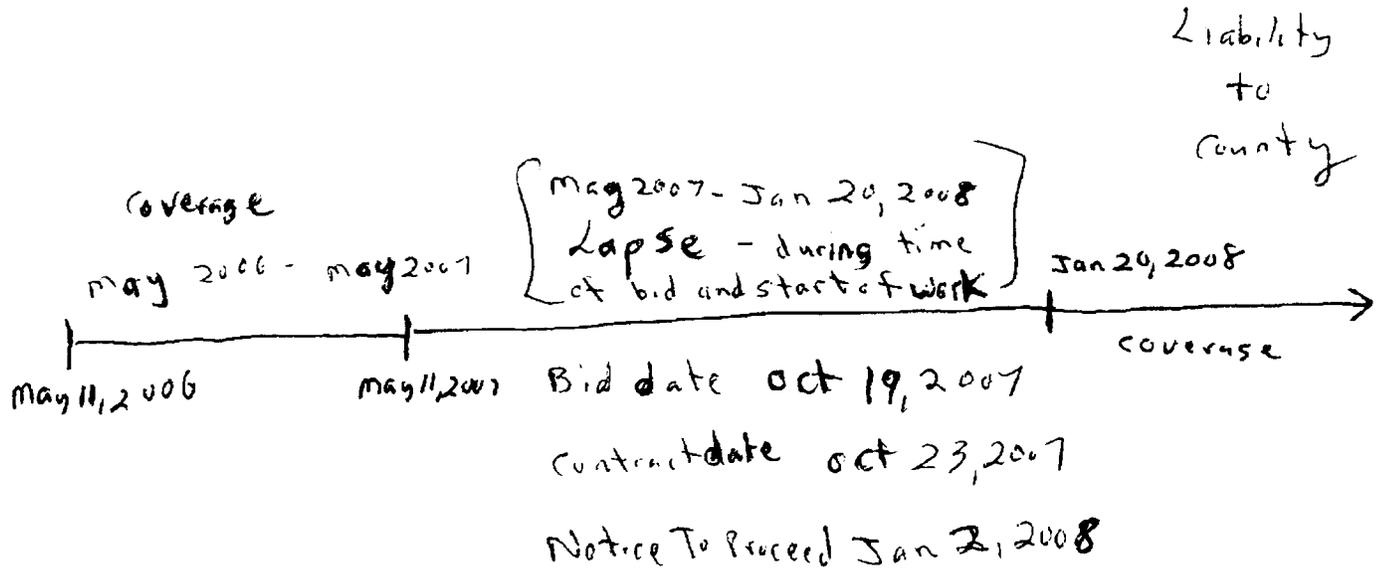
Owner Election Listings

No Owner Election of Coverage Listings

Employer Name History

Employer Name	Name Type	Change Date
BAILEY & SON'S DIVERSIFIED INC	Legal	May 5 2006

Janitorial
* Paintings *
Septic tank installation



Good Morning:

Our records do not show that Bailey & Sons, Diversified, Inc., was prequalified to perform road and bridge construction work estimated at over \$250,000 during 2007/2008. Prequalification is not required for jobs under \$250,000.

For prequalification information pertaining to contractors and consultants who do not perform road and bridge construction work, please contact our Procurement Office. Their website, including contact information, is found at:

<http://www.dot.state.fl.us/procurement/>

If you have any other questions, you can contact me as indicated below. Thank you.

Darlene M. Anderson
Prequalification Supervisor
Contracts Administration Office
Florida Department of Transportation
Darlene.Anderson@dot.state.fl.us
PH: (850) 414-4018
Fax: (850) 414-4946

Draw Before any work was done?

PREBLE-RISH, INC.

324 Marina Drive
Port St. Joe, FL 32456
(850) 227-7200
FAX (850) 227-7215

LETTER OF TRANSMITTAL

TO: Gulf County Administrator's Office
1000 Cecil G. Costin Sr. Blvd.
Port St. Joe, FL 32456

DATE	January 3, 2008
PROJECT #	3.181
FROM	Bill Kennedy
ATTENTION	Don Butler, County Administrator
SUBJECT	Gulf County Road Bond Project Americus Ditch

WE ARE SENDING YOU Attached Under separate cover via _____
the following items:

- Prints
- Specifications
- Copy of Letter
- Change Order
- Submittal Data
- Other _____

COPIES	DATE	NO.	DESCRIPTION
1			Bailey & Son's Diversified Pay Request

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- Other: _____
- Approved as submitted
- Approved as noted
- For review and comment
- For BIDS due _____ 20 _____

REMARKS: _____

COPY TO: _____
_____ w/ attachments w/o attachments
_____ w/ attachments w/o attachments
_____ w/ attachments w/o attachments

SIGNED: William Kennedy

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF ONE

PAGES ONE

TO OWNER: PROJECT: 3.161
Gulf County Board of American Ditch Project
County Commissioners

FROM CONTRACTOR: VIA Engineer:
Bailey & Son's Diversified PREBLE-RUSH Inc.
3844 Hwy 22
Wausatchka, FL 32465

CONTRACT FOR:

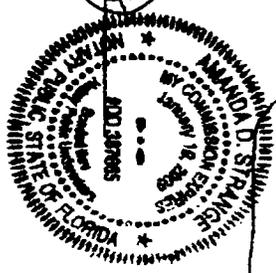
CONTRACT DATE: 12/18/2007

CONTRACTOR'S APPLICATION FOR PAYMENT

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that interest payment shown herein is now due.

1. ORIGINAL CONTRACT SUM \$ 329,289.11
2. Net change by Change Order \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 329,289.11
4. TOTAL COMPLETED & STORED TO DATE (Column C on G703) \$ 329,289.11

CONTRACTOR: By: *Bailey & Son's*
State of Florida County of Gulf
Subscribed and sworn to before me this 1st day of 1-2-08
Notary Public: *Waymond O. Strong*
My Commission expires:



5. RETAINAGE: a. 10% of Completed Work \$ 32,928.91
b. (Columns D + E on G703) \$ 0.00
(Column F on G703) \$ 0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703) 0.00
6. TOTAL BARNED LEAS RETAINAGE (Lines 4 Less Line 5 Total) \$ 329,289.11
7. LEAS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 less prior Certificates) \$ 0.00
8. CURRENT PAYMENT DUE \$ 329,289.11
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 0.00

CHANGE ORDER SUMMARY table with columns: Total changes approved in previous months by Owner, Total approved this month, ADDITIONS, DEDUCTIONS, TOTALS.

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - OWNER
Users may obtain validation of this document by requesting a completed AIA Document G401 -

ARCHITECT'S CERTIFICATE FOR PAYMENT
In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.
AMOUNT CERTIFIED \$ 329,148.75
Date: 1-3-08
By: *[Signature]*
BCC APPROVED
ACCT. # 41441-63000

Handwritten notes: "why was a draw approved before work was done?"



101 Century 21 Drive, Suite 200, 32216
PO Box 16407
Jacksonville, FL 32216
904/855-0744
Fax 904/855-0828

October 19, 2007

Mr. Bill Williams, Chairman
Gulf County Board of County Commissioners
1000 Cecil G. Costin Sr. Blvd., Rm 148
Port St. Joe, FL 32456

FAX: 850-229-1990

Re: Bailey & Sons Diversified, Inc. Bid Bond
Project Name: Americus Avenue Ditch Pipe Installation

Dear Sirs:

We are the bonding agent for Bailey & Sons Diversified, Inc. They are bonded by American Contractors Indemnity Company, an "A" rated surety in the "A M" Best Guide. While each project is approved on its own merits, Bailey & Sons Diversified, Inc. has the ability to bond single projects up to an amount of Two Hundred and Fifty Thousand dollars with an overall aggregate limit of Five Hundred Thousand dollars.

If awarded this job, American Contractors Indemnity Company will issue a Performance & Payment Bond to the County provided the contract is acceptable to the contractor and the surety.

Unfortunately, there were changes in the bid specs which delayed the delivery of a bid bond to meet the deadline today at 4:30 p.m. Please accept this letter in good faith of the contractor's ability to provide a Payment and Performance Bond.

If we can be of service or should you have any questions, feel free to contact us.

Sincerely,

Bowditch Insurance Corporation

David, L. Cain
Attorney In Fact for American Contractors Indemnity Company

cc: Bailey & Sons Diversified, Inc.

→ (1) No bid bond
(2) single job limit
is less than amount
bid by Bailey
(3)

PROOF OF PUBLICATION THE STAR

Published Weekly at 135 W. Hwy 98, Port St Joe, Gulf County, Florida

STATE OF FLORIDA, }
COUNTY OF GULF } SS

Before the undersigned authority personally appeared Tim Croft who deposes and says that (s)he is Editorial Manager of The Star, a weekly newspaper printed in the English language and of general circulation published in the City of Port St. Joe, Florida, in said county and state, and that the attached notice to Receive Sealed Bids was published in said newspaper weekly for a period of 2 weeks consecutively, beginning October 4, 2007 ✓ and ending October 11, 2007 ✓ said publication being on the following dates: 10/4 & 10/11

Deponent further says that The Star has been continuously published as a weekly newspaper issued each Thursday and has been entered as second class mail matter at the post office in Port St. Joe, Gulf County, Florida, for a period of more than one year next preceding the first publication of the attached copy of advertisement; and deponent further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Timothy P. Croft
Editorial Manager

Sworn to and subscribed before me

this 11 day of October AD. 2007
Renee Carroll



AMERICUS AVENUE DITCH NOTICE TO RECEIVE SEALED BIDS BID #0708-01

The Gulf County Board of County Commissioners will receive sealed bids from any qualified person, company or corporation interested in constructing:

AMERICUS AVENUE DITCH PIPE INSTALLATION

Plans and specifications can be obtained at Preble-Rish, Inc., 324 Marina Drive, Port St. Joe, Florida 32456, (850) 227-7200. The bid must conform to Section 287.133(3) Florida Statutes, on public entity crimes. Cost for Plans and Specifications will be \$ 150.00 per set and is non-refundable. Checks should be made payable to PREBLE-RISH, INC.

This project consists of installing ADS pipe and inlets in Americus Ditch. Pipe sizes range from 24" to 60" in diameter.

All SUBCONTRACTORS shall be FDOT Qualified for the type work they will be providing.

Completion date for these projects will be 120 days from the date of the Notice to Proceed presented to the successful bidder.

Liquidated damages for failure to complete the project on the specified date will be set at \$250.00 per day.

Please submit four (4) copies of your bid and indicate on the envelope YOUR COMPANY NAME, that this is a SEALED BID, and include the BID NUMBER.

Bids will be received until 4:30 p.m., E.T. on Friday, October 19, 2007, at the Gulf County Clerk's Office, Gulf County Courthouse, 1000 Cecil G. Costin Sr. Blvd., Room 148, Port St. Joe, Florida 32456. Bids will be opened at this same location on Monday, October 22, 2007, at 10:00 a.m., E.T.

The Board of County Commissioners reserves the right to waive informalities in any bid, to accept and/or reject any or all bids, and to accept the bid that in their judgment will be in the best interest of Gulf County.

If you have any questions, please call Bill Kennedy at (850) 227-7200 or Travis Justice at (850) 522-0644.

BILL WILLIAMS
CHAIRMAN

Ad #2007-107

Publish: October 2007

PROJECT # 003.181

**AMERICUS AVENUE DITCH
NOTICE TO RECEIVE SEALED BIDS
BID #0708-01**

The Gulf County Board of County Commissioners will receive sealed bids from any qualified person, company or corporation interested in constructing:

AMERICUS AVENUE DITCH PIPE INSTALLATION

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This project consists of installing ADS pipe and inlets in Americus Ditch. Pipe sizes range from 24" to 60" in diameter.

* All SUBCONTRACTORS shall be FDOT Qualified for the type work they will be providing. *

Completion date for these projects will be 120 days from the date of the Notice to Proceed presented to the successful bidder. +

* Liquidated damages for failure to complete the project on the specified date will be set at \$250.00 per day. *

Please submit four (4) copies of your bid and indicate on the envelope **YOUR COMPANY NAME**, that this is a **SEALED BID**, and include the **BID NUMBER**.

Bids will be received until 4:30 p.m., E.T., on Friday, October 19, 2007, at the Gulf County Clerk's Office, Gulf County Courthouse, 1000 Cecil G. Costin Sr. Blvd., Room 148, Port St. Joe, Florida 32456. Bids will be opened at this same location on Monday, October 22, 2007, at 10:00 a.m., E.T.

The Board of County Commissioners reserves the right to wai~~v~~e informalities in any bid, to accept and/or reject any or all bids, and to accept the bid that in their judgment will be in the best interest of Gulf County.

If you have any questions, please call Bill Kennedy at (850) 227-7200 or Travis Justice at (850) 522-0644.

**BILL WILLIAMS
CHAIRMAN**

Publication Dates: October 4 & 11, 2007
Ad #2007-107
Ad Size: Legals
Invoice: Gulf County BCC

ADVERTISEMENT FOR BIDS-00010

AMERICUS DITCH

PROJECT # 003.181

SECTION 00080-NOTICE OF AWARD

TO: Bailey & Sons Diversified, Inc.
3844 Highway 22
Wewahitchka, FL 32465

PROJECT DESCRIPTION: AMERICUS AVENUE DITCH PIPE INSTALLATION

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated October 19, 20 07, and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$ 329,269.18. You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and certificates of insurance within ten (10) calendar days from the date of this NOTICE to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) calendar days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 23rd day of October, 20 07.

By: [Signature]
Title: Chairman, Gulf County Board of County Commissioners

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged

By: Bailey & Son's Diversified, Inc. (Company Name).

This the 23rd day of October, 20 07.

By: [Signature] (Print and Sign Name).

Title: President

AMERICUS DITCH

PROJECT # 003.181

SECTION 00050-AGREEMENT

THIS AGREEMENT, made this 23rd day of October, 2007, by and between Gulf County Board of County Commissioners, hereinafter called "OWNER" and Bailey & Sons Diversified, Inc., doing business as Corporation (an individual, a partnership, or a corporation), hereinafter called "CONTRACTOR". WITNESSETH: That for and in consideration of the payments and agreements herein after mentioned:

1. The CONTRACTOR will commence and complete the construction of the AMERICUS AVENUE DITCH PIPE INSTALLATION.

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.

3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED and will complete the same within 120 days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

4. The CONTRACTOR agrees to perform all of the work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of Three hundred twenty nine thousand two hundred sixty nine and 18/100 dollars (\$ 329,269.18) as shown in the BID SCHEDULE.

5. The term "CONTRACT DOCUMENTS" means and includes the following:

- (A) ADVERTISEMENT FOR BIDS
- (B) INFORMATION FOR BIDDERS
- (C) BID SUMMARY

AGREEMENT-00050 1

- (D) BID
- (E) BID BOND
- (F) AGREEMENT
- (G) PERFORMANCE BOND
- (H) PAYMENT BOND
- (I) NOTICE OF AWARD
- (J) NOTICE TO PROCEED
- (K) SCHEDULE OF VALUES
- (L) APPLICATION AND CERTIFICATION FOR PAYMENT
- (M) CHANGE ORDER
- (N) STORMWATER POLLUTION PREVENTION PLAN INSPECTION REPORT FORM
- (O) GENERAL CONDITIONS
- (P) SUPPLEMENTAL GENERAL CONDITIONS
- (Q) NOTICE OF SUBSTANTIAL COMPLETION
- (R) DRAWINGS prepared by Preble-Rish, Inc.
- (S) SPECIFICATIONS prepared or issued by Preble-Rish, Inc.
- (T) ADDENDA



No. 1, dated October 17, 2007.
 No. _____, dated _____, 20____.
 No. _____, dated _____, 20____.
 No. _____, dated _____, 20____.

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

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

AGREEMENT-00050 2

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

(SEAL)

OWNER:

ATTEST:

Towana Kopinsky

BY William C. Williams III

NAME Towana Kopinsky
(Please Type)

NAME William C. Williams III
(Please Type)

TITLE Clerk Executive Administrator

TITLE Chairman

(SEAL)

CONTRACTOR:

ATTEST:

Towana Kopinsky

Bailey & Son's Diversified, Inc.

NAME Towana Kopinsky
(Please Type)

BY Brad Bailey

NAME Brad Bailey
(Please Type)

TITLE Clerk Executive Administrator

ADDRESS 3844 Highway 22

Wewahitchka, FL 32465

END OF SECTION 00050

AGREEMENT-00050 3



PREBLE-RISH INC
CONSULTING ENGINEERS & SURVEYORS

DATE 5/8/2007 INVOICE # 65171

V# 931

BILL TO:

Gulf County
Board of County Commissioners
1000 Cecil G. Costin Sr. Boulevard
Port St. Joe, FL 32456

RE: Gulf County Road Bond Project
Services through 4/28/07.

TERMS Due on Receipt	PROJECT 3.181
--------------------------------	-------------------------

CONTRACT BREAKDOWN

Task	Completed Estimated Construction Costs	Percent Complete	Amount Completed To Date	Amount Previously Invoiced	Amount Due This Invoice
Design Fees:					
Resurfacing @ 4%	\$2,754,525.71	100%	\$110,181.00	\$110,181.00	\$0.00
New Construction @ 7%	\$2,702,474.29	100%	\$189,173.20	\$189,173.20	\$0.00
Inspection @ 2.5%		0%	\$0.00	\$0.00	\$0.00
Americus Ditch Permitting	\$8,215.00	100%	\$8,215.00	\$8,215.00	\$0.00
	\$5,465,215.00		\$307,569.20	\$307,569.20	\$ -
Americus Ditch Engineering					
Construction 7%	\$1,000,000.00	75%	\$70,000.00	\$52,500.00	\$17,500.00
Inspection @ 2.5%		0%	\$0.00	\$0.00	\$0.00

70% of the 75% complete
(\$70,000)
comp.

TOTAL AMOUNT DUE \$ 17,500.00

H1441-31000
-63000

Priority
Road Bond List
B. Free

BCC APPROVED
DATE 5/22/07 C. JW

2007 MAY 10 10:30
BCC COUNTY
COMMISSIONERS

PLEASE REMIT TO OUR PORT ST. JOE ADDRESS.

Port St. Joe
324 Marina Drive
Port St. Joe, FL 32456
PHONE: 850.227.7200 FAX: 850.227.7215

Panama City
203 Aberdeen Parkway
Panama City, FL 32405
PHONE: 850.522.0644 FAX: 850.522.1011

Santa Rosa
5365 Scenic Highway 30A, Suite 102
Santa Rosa Beach, FL 32459
PHONE: 850.231.3902 FAX: 850.231.0157

REFUSING TO RENT TO PERSONS
BECAUSE THEY HAVE CHILDREN IS
ALMOST ALWAYS AGAINST THE LAW.

LIVE FREE



REPORT HOUSING DISCRIMINATION

1-800-669-9777 (TDD) 1-800-972-9275

www.fairhousing.gov

For more information regarding Fair Housing or to file a complaint, please contact HUD at the phone number above, or Towan Kopinsky, Gulf County Grant Coordinator at (850) 229-6144.

Ad # 2013-128

JOB NOTICE

The Gulf County Board of County Commissioners is accepting applications for one full-time Laborer for our Public Works Department. Starting salary is \$11.9391 per hour. This is a bargaining unit (Union) position with full benefits. Applications and a complete job description are available in our Human Resources Office (1000 Cecil G. Costin, Sr. Blvd., Port St. Joe), or at www.gulfcounty-fl.gov

Applications will be accepted until **5:00 p.m.**, E.T. on **November 20, 2013** at the **Gulf County Human Resources Office**. For more information, please contact Brett Lowry, Deputy Administrator at (850) 229-5335 or Denise Manuel, Central Services Director at (850) 227-2384.

Gulf County enforces a Drug-Free Workplace Policy and is an Equal Opportunity/Affirmative Action Employer.

/s/ Tynalin Smiley, Chairman

Attest: /s/ Rebecca L. Norris, Clerk

Dates: November 7, 2013 & November 14, 2013

Ad: #2013-123

Invoice: Gulf County Board of County Commissioners

Ad size: Classifieds

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2013 OCT 28 PM 5:03

**NOTICE TO RECEIVE SEALED BIDS
BID NO. 1314-03**

The Gulf County Board of County Commissioners will receive sealed bids from any qualified person, company or corporation interested in providing construction services for the following project:

STUMPHOLE REVETMENT PHASE VI (PRI Project #3.252)

This project will include approximately 330 LF of additional armoring of the area known as the Stumphole which is located on Cape San Blas, South Gulf County, Florida.

Plans and specifications can be obtained at Preble-Rish, Inc., 324 Marina Drive, Port St. Joe, Florida 32456, (850) 227-7200. The bid must conform to Section 287.133(3) Florida Statutes, on public entity crimes. Cost for Plans and Specifications will be \$50.00 per set and is non-refundable. Checks should be made payable to PREBLE-RISH, INC.

Completion date for this project will be 180 days from the date of the Notice to Proceed presented to the successful bidder. Liquidated damages for failure to complete the project on the specified date will be set at \$500.00 per day.

Please indicate on the envelope **YOUR COMPANY NAME, BID NUMBER** and that this is a sealed bid for the "**Stumphole Revetment Phase VI**" project.

Bids will be received until **4:00 p.m. Eastern Time, on December 6, 2013**, at the Gulf County Clerk's Office, 1000 Cecil G. Costin Sr. Blvd., Port St. Joe, Florida, 32456. Bids will be opened at this same location on **December 9, 2013** at **10:00 a.m. Eastern Time**.

The Board of County Commissioners reserves the right to waive informalities in any bid, to accept and/or reject any or all bids, and to accept the bid that in their judgment will be in the best interest of Gulf County. A **mandatory** Pre-Bid Conference shall be held at the office of Preble-Rish, Inc., 324 Marina Drive, Port St. Joe, Florida (850) 227-7200 at 10:00 am Eastern Time, November 21, 2013.

All bids shall remain firm for a period of sixty days after the opening. All bidders shall comply with all applicable state and local laws concerning licensing registration and regulation of contractors doing business in the State of Florida.

If you have any questions, please call Clay Smallwood at (850) 227-7200.

**BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA
/s/ Tan Smiley, Chairman**

Advertise: November 14, 2013 – The Star
Advertise: November 8, 2013 – News Herald
Ad #2013-129 and Ad#2013-130
Invoice: Acct#4522382/Gulf County BOCC
Ad Size: Legals

PUBLIC NOTICE

The Gulf County Enterprise Zone Development Agency will meet Thursday, November 21, 2013, at 12:00 noon, E.T., 1000 Cecil G. Costin Sr., Blvd., of the Robert M. Moore Administration Building, Gulf County Courthouse Complex in Room 307.

The only topic to be discussed will be the Enterprise Zone boundary changes.

The public is welcome to attend.

Ad #2013-122

Date: 11/7/13

Publish: 1 time in the Legals

Bill: GCBOCC

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2013 OCT 28 PM 4: 37



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

**Business Support
Office of Criminal Justice Grants**
Post Office Box 1489
Tallahassee, FL 32302-1489
(850) 617-1250
www.fdle.state.fl.us

Rick Scott, Governor
Pam Bondi, Attorney General
Jeff Atwater, Chief Financial Officer
Adam Putnam, Commissioner of Agriculture

October 30, 2013

The Honorable Tynalin Smiley
Chairman, Gulf County
Board of County Commissioners
1000 Cecil G. Costin, Sr. Boulevard
Port St. Joe, FL 32456

2013 NOV -6 PM 12:47
 FEDERAL FOR RECORD
 FEDERAL JUDICIAL
 CLERK OF CIRCUIT COURT
 GULF COUNTY, FLORIDA

Re: Federal Fiscal Year (FFY) 2013 Edward Byrne Memorial Justice Assistance Grant (JAG)
Program – Florida JAG Direct

Dear Chairman Smiley:

The Florida Department of Law Enforcement (FDLE) has received an award from the United States Department of Justice (USDOJ) for FFY 2013 JAG funds. These grant funds are distributed to units of local government based on local crime statistics reported to FDLE.

FDLE has allocated \$ 1,643.00 from this award for use by your agency, in accordance with the Florida JAG Direct distribution provision of Chapter 11D-9, Florida Administrative Code. Please note these funds require quarterly performance reporting along with monthly or quarterly expenditure reporting. Specific program requirements for these JAG funds and general instructions regarding the application process and a list of federal purpose areas can be found at <http://www.fdle.state.fl.us/Content/grants/jagd.aspx>. Applications that do not comply with the instructions or do not include all required information will be returned for inclusion of the missing information or will have a special condition withholding funds placed on the grant at the time of award.

Recipients must apply on-line using FDLE's grant management system, Subgrant Information Management On-Line (SIMON). Simon can be accessed at <http://simon.fdle.state.fl.us>. The Project Start and End Dates in the on-line application should reflect the period **February 1, 2014** through **June 30, 2014**.

Application completion will require an "Announcement Code" which is a security feature allowing access to the application. The Announcement Code is **JAGD1314**. Note that this Code will be activated on **October 28, 2013**. Application completion will not be possible without the announcement code. A user manual and video tutorial are available online to assist with completing this application.

The deadline for this on-line submission is **Tuesday, December 3, 2013 at 5:00 p.m.** at which time the announcement code will be deactivated.

Chairman Tynalin Smiley
October 30, 2013
Page Two

In addition to the on-line submission, recipients must print out the completed application and required certifications and submit two hard copies (with original signatures) to:

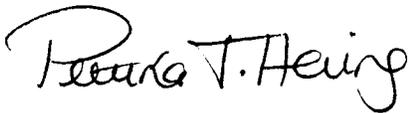
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308

The deadline for this hard copy submission is **Friday, December 20, 2013.**

The Department does not discriminate, and prohibits subgrant recipients from discriminating, on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment.

I would also like to notify you of significant changes occurring within FDLE's Office of Criminal Justice Grants (OCJG). As you may be aware, Mr. Clayton Wilder recently retired as Administrator of OCJG after 43 years of dedicated service to the State of Florida. OCJG has also recently filled additional key vacancies due to other member retirements and promotions. We appreciate your understanding and patience as we complete this transition, and look forward to working with you to complete awarded projects with Byrne/JAG federal funding. Please contact me or Planning Manager Annamarie Whatley at (850) 617-1250 if you have any questions or we can be of further assistance.

Sincerely,



Petrina Tuttle Herring
Administrator

PTH/al

cc: Local Law Enforcement Agency



Executive Director Marshall Stranburg

October 28, 2013

Honorable Rebecca L. Norris, Clerk of Court
Gulf County Board of Commissioners
1000 Cecil G. Costin Sr. Blvd., Room 148
Port St. Joe, Florida 32456

Re: Maximum Millage Levy Calculation Final Disclosure

Dear Ms. Norris:

The Department of Revenue has reviewed the maximum millage levy calculation final disclosure documents submitted by your taxing authority. The Department's review included documents relating to the millage levying processes and the total taxes levied by your principal taxing authority and any dependent special districts and MSTUs (for counties). Based on the documents submitted for all these entities, the Department has determined that your taxing authority is in compliance with the maximum total taxes levied requirements, and thus the maximum millage levy requirements, of s. 200.065(5), Florida Statutes.

This determination applies only to the maximum millage levy requirements of section 200.065(5), Florida Statutes. Findings regarding the TRIM certification requirements of section 200.065, Florida Statutes, will be sent in a separate letter.

Sincerely,

[Handwritten signature of James McAdams]

James McAdams, Director
Property Tax Oversight Program

JM/ukc # 33.01

2013 NOV -4 PM 2:10
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA



Executive Director Marshall Stranburg

October 28, 2013

Honorable Rebecca L. Norris, Clerk of Court
Gulf County Board of Commissioners
1000 Cecil G. Costin Sr. Blvd., Room 148
Port St. Joe, Florida 32456

2013 NOV -4 PM 2:47
RECEIVED REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA

Re: Truth in Millage (TRIM) Certification

Dear Ms. Norris:

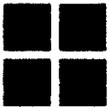
The Department of Revenue has reviewed the millage certification documents submitted by your taxing authority and determined that it meets the certification requirements of subsections 200.065(1)-(4), (6)-(12), (14) and (15), Florida Statutes. The Department has found no violation of the requirements of the listed subsections and accordingly accepts your certification as meeting the stated requirements.

This determination applies only to the TRIM certification requirements in the listed subsections of section 200.065, Florida Statutes. A determination regarding the maximum millage levy requirements of section 200.065(5), Florida Statutes, will be sent in a separate notice.

Sincerely,
[Signature]
James McAdams, Director
Property Tax Oversight Program

JM/ukc # 33.01

Child Support Enforcement - Ann Coffin, Director • General Tax Administration - Maria Johnson, Director
Property Tax Oversight - James McAdams, Director • Information Services - Damu Kuttikrishnan, Director



The Arbitrage Group, Inc.
10000
10000

Telephone 713 522 8527
Facsimile 713 522 8417

www.arbitragegroup.com

October 30, 2013

Ms. Sherry E. Herring
Budget & Finance Officer
Gulf County Clerk of Courts
1000 Cecil B. Costin, Sr. Boulevard, Room 148
Port St. Joe, Florida 32456

\$14,745,000
Gulf County, Florida
Gas Tax Revenue Refunding Bonds
Series 2006

Dear Ms. Herring:

Attached please find our rebate report for the above noted bonds for the period September 12, 2006 to September 12, 2013. This report indicates that there is no rebate liability for the Bonds as of the September 12, 2013 Rebate Computation Date.

The next Computation Date is September 12, 2014. We will be in contact with you at that time. If you have any questions or comments please do not hesitate to contact me at (713) 522-8527.

Very truly yours,

The Arbitrage Group, Inc.

H. Troy Merrill
Partner

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2013 NOV -5 PM 2:34

****Complete Report on file with Clerk****



UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
 Washington, DC 20233-0001

Suspension of the 2014 Boundary and Annexation Survey

The U. S. Census Bureau has suspended the Boundary and Annexation Survey (BAS) in fiscal year (FY) 2014, which runs from October 1, 2013 to September 30, 2014. The FY 2014 budget for the Department of Commerce and the Census Bureau reflects an effort to balance the desire to fund the many important statistical programs and services the Census Bureau provides within the current budget environment. That effort required the Census Bureau to make some difficult resource allocation decisions that unfortunately resulted in the suspension of the BAS in 2014.

What is the BAS?

The Census Bureau conducts the BAS to provide state, county, minor civil division, and local governments; as well as tribal governments the opportunity to submit changes to their legal boundaries, names, and governmental status effective on or before January 1 of the survey year. However, a subset of the 40,000 legal governments nationwide forms the core 'reporting universe' for BAS production each year. The reporting universe consists of governments known to experience boundary changes. The BAS is voluntary and every legal government has the opportunity to participate. In the 2013 BAS, 2,522 governments reported boundary updates.

The Census Bureau works closely with the U. S. Bureau of Indian Affairs to ensure that the BAS reflects official boundaries for federally recognized American Indian reservations, off-reservation trust lands, and tribal subdivisions.

What are the exceptions from the suspension?

There are two exceptions to the processing of legal boundary updates in fiscal year 2014. The Census Bureau will continue to process National Standard code changes, new incorporations, disincorporations, and name changes due to our agreement with the U. S. Geological Survey. The Census Bureau, also, maintains the Federal Information Processing Series (FIPS) codes for all federal, state and local governments separate from the BAS program as well as tribal governments. In addition, the Census Bureau will continue to process legal boundary updates as part of the Special Census Program and Geographically Updated Population Certification Program. To learn more about these programs, please visit the Census Bureau website at <http://www.census.gov>

The result of your 2013 BAS submissions

We completed the updates of all the materials submitted for the 2013 BAS before August 2013 into the MAF/TIGER database. There will be no material created such as PDF maps or BAS forms to verify your submission from 2013 BAS. We will post shapefiles containing the updates in March 2014 to the Census Bureau website.

RECEIVED
 KENNEDY LADRISS
 CLERK OF CIRCUIT COURT
 GULF COUNTY, FLORIDA

2013 NOV -6 PM 12:47

11/12/13 29

If boundaries are submitted in FY14

With the suspension of the 2014 BAS, the Census Bureau will not solicit boundary updates from local and tribal governments. If governments submit boundary information such as annexation notifications, map submissions, and digital updates during FY14 then the Census Bureau will hold those materials in preparation of the 2015 BAS.

Contact Information

If you have any questions about this statement on the 2014 BAS, please e-mail <geo.bas@census.gov>, or visit <<http://www.census.gov/geo/partnerships/bas.html>>.

Please direct all written correspondence to:

BAS Legal Areas Team
Geographic Areas Branch
U. S. Census Bureau
Washington, DC 20233-7400