

# LOUISIANA UNIFORM PUBLIC WORK BID FORM

TO: City of Mandeville  
3101 East Causeway Blvd.  
Mandeville, LA 70448

BID FOR: City of Mandeville  
Causeway Central Pump Station Rehabilitation


The undersigned bidder hereby declares and represents that she/he; a) has carefully examined and understands the Bidding Documents, b) has not received, relied on, or based his bid on any verbal instructions contrary to the Bidding Documents or any addenda, c) has personally inspected and is familiar with the project site, and hereby proposes to provide all labor, materials, tools, appliances and facilities as required to perform, in a workmanlike manner, all work and services for the construction and completion of the referenced project, all in strict accordance with the Bidding Documents prepared by: Principal Engineering, Inc., and dated: May, 2012.

Bidders must acknowledge all addenda. The Bidder acknowledges receipt of the following ADDENDA

TOTAL BASE BID: For all work required by the Bidding Documents (including any and all unit prices designated "Base Bid" \* but not alternates) the sum of:

One Hundred forty-two thousand Five hundred Fifty-two (\$142,552.00) Dollars

ALTERNATES: None

NAME OF BIDDER: Dyres Construction & Contracting, Inc.  
ADDRESS OF BIDDER: PO Box 995  
Lehigh Acres, FL 33970  
LOUISIANA CONTRACTOR'S LICENSE NUMBER: 54375  
NAME OF AUTHORIZED SIGNATORY OF BIDDER: James Boggs  
TITLE OF AUTHORIZED SIGNATORY OF BIDDER: President  
SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER:   
DATE: 6/26/2012

\* The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.  
\*\* If someone other than a corporate officer signs for the Bidder/Contractor, a copy of a corporate resolution or other signature authorization shall be required for submission of bid. Failure to include a copy of the appropriate signature authorization, if required, may result in the rejection of the bid unless bidder has complied with La. R.S. 38:2212(A)(1)(c) or RS 38:2212(O).  
BID SECURITY in the form of a bid bond, certified check or cashier's check as prescribed by LA RS 38:2218.A is attached to and made a part of this bid.

LOUISIANA UNIFORM PUBLIC WORK BID FORM

UNIT PRICE FORM

BID FOR:

City of Mandeville

Causeway Central Pump Station Rehabilitation

3101 East Causeway Blvd.  
Mandeville, LA 70448

TO:

City of Mandeville

UNIT PRICES: This form shall be used for any and all work required by the Bidding Documents and described as unit prices. Amounts shall be stated in figures and only in figures.

1	1	Lump Sum	90,462.00	Wall Repair & Pump Station Rehabilitation
2	528	Square Foot	15,840.00	Additional Wall Repair
3	1	Lump Sum	36,250.00	Flow Control

## SECTION 00410

## BID BOND FORM

FOR

Causeway Central Pump Station Rehabilitation

Date: 6/26/12

KNOW ALL MEN BY THESE PRESENTS:

That Cypress Construction & Coalings, Inc. of Lehigh Acres, FL, as Principal, and Bankers Insurance Company of Madenville, LA, as Surety, are held and firmly bound unto the City of Madenville, LA in the full and just sum of \$10,000, lawful money of the United States, for payment of which sum, well and truly be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Surety represents that it is listed on the current U. S. Department of the Treasury Financial Management Service list of approved bonding companies as approved for an amount equal to or greater than the amount for which it obligates itself in this instrument or that it is a Louisiana domiciled insurance company with at least an A - rating in the latest printing of the A. M. Best's Key Rating Guide. If surety qualifies by virtue of its Best's listing, the Bond amount may not exceed ten percent of policyholders' surplus as shown in the latest A. M. Best's Key Rating Guide.

Surety further represents that it is licensed to do business in the State of Louisiana and that this Bond is signed by surety's agent or attorney-in-fact. This Bid Bond is accompanied by appropriate power of attorney.

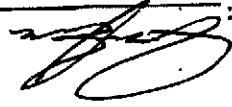
THE CONDITION OF THIS OBLIGATION IS SUCH that, whereas said Principal is herewith submitting its proposal to the Oblige on a Contract for:

Causeway Central Pump Station Rehabilitation, Project 1006A1A

NOW, THEREFORE, if the said Contract be awarded to the Principal and the Principal shall, within such time as may be specified, enter into the Contract in writing and give a good and sufficient bond to secure the performance of the terms and conditions of the Contract with surety acceptable to the Oblige, then this obligation shall be void; otherwise this obligation shall become due and payable.

Cypress Construction &amp; Coalings, Inc.

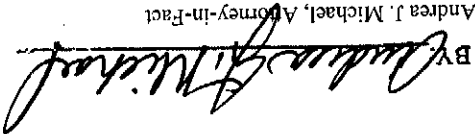
PRINCIPAL (BIDDER)

BY: 

James S. Boggs, President

Bankers Insurance Company

SURETY

BY: 

Andrea J. Michael, Attorney-in-Fact

END OF SECTION

00410-1

3208972

## Power of Attorney

Bankers Insurance Company

**KNOW ALL MEN BY THESE PRESENTS**, that **BANKERS INSURANCE COMPANY**, a corporation duly organized under the laws of the State of Florida, and having its principal office in the City of St. Petersburg, Pinellas County, Florida, does hereby nominate, constitute and appoint:

\*Andrea J Michael\*

of the City of Tampa, Hillsborough County, State of Florida, its true and lawful Attorney-in-fact, with full power and authority hereby conferred upon him/her to make, execute, seal and deliver for and on its behalf, as Surety, as its act and deed, any and all bonds, undertakings consent or Agreement not exceeding the sum of Four Million and xx/100 dollars ----- \$4,000,000.00 which this Company may be authorized to write.

This Power of Attorney is granted and is signed and sealed under and by the authority of the following resolutions adopted by the Board of Directors of Bankers Insurance Company, and now in force to-wit:

**BE IT RESOLVED**, that the Chairman of the Board, President and any Vice President of the Corporation are hereby authorized to execute Powers of Attorney, qualifying the Attorney(s)-in-Fact named in the Powers of Attorney to execute, on behalf of the Corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the Corporation are hereby authorized to attest the execution of any such Power of Attorney.

**BE IT FURTHER RESOLVED**, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, any and such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

**IN WITNESS WHEREOF**, Bankers Insurance Company has caused these presents to be executed by their duly authorized officers as of this 1<sup>st</sup> day of July, 2010.

ATTEST:

BANKERS INSURANCE COMPANY

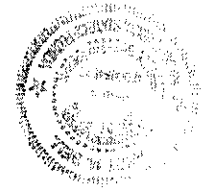
By: \_\_\_\_\_

David K. Meehan, President

Nancy C. Haire, Assistant Secretary

STATE OF FLORIDA )  
COUNTY OF PINELLAS )  
The foregoing instrument was acknowledged before me 1<sup>st</sup> day of July, 2010 by David K Meehan and Nancy C. Haire, as President and Assistant Secretary, respectively, of Bankers Insurance Company, a Florida corporation, on behalf of the corporation.

(NOTARY PUBLIC)



I, the undersigned, Assistant Secretary of Bankers Insurance Company do hereby certify that the original Power of Attorney, of which the foregoing is a full, true and correct copy, is in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affix the corporate seal of the Corporation this 1<sup>st</sup> day of July, 2010.

(SEAL)

Nancy C. Haire, Assistant Secretary

SECTION 00480  
AFFIDAVITS

NON-COLLUSION AFFIDAVIT

Florida  
STATE OF LOUISIANA  
PARISH OF LA

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY CAME AND APPEARED  
JAMES BOOTS  
SWORN, DEPOSED AND SAID THAT HE IS THE FULLY AUTHORIZED REPRESENTATIVE  
OF James Construction & Contracting (HEREIN AFTER REFERRED TO AS BIDDER) THE  
PARTY WHO SUBMITTED A BID FOR LAKEVIEW CEMETERY RAMP STATION KENILB  
BID NO. 1006A14  
AND SAID AFFIANT FURTHER SAID:

1) That bidder employed no person, corporation, firm, association or other organization, either  
directly or indirectly, to secure the public contract under which he received payment, other than persons  
regularly employed by the bidder whose services in connection with the construction of the public  
building or project or in securing the public contract were in the regular course of their duties for bidder;  
and

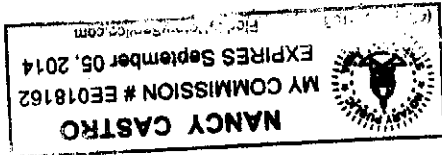
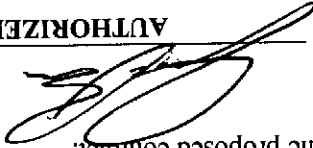
2) That no part of the contract price received by bidder was paid or will be paid to any person,  
corporation, firm, association, or other organization for soliciting the contract, other than the payment of  
their normal compensation to persons regularly employed by the bidder whose services in connection  
with the construction of the public building or project were in the regular course of their duties for bidder.

3) Said bid is genuine and the bidder has not colluded, conspired or agreed directly or indirectly with  
any other bidder to offer a sham or collusive bid.

4) Said bidder has not in any manner, directly or indirectly, agreed with any other person to fix the  
bid price of affiant or any other bidder, or to fix any overhead, profit or cost element of said bid price, or  
that of any other bidder, or to induce any other person to refrain from bidding.

5) Said bidder is not intended to secure an unfair advantage of benefit from the City of Mandeville or  
in favor of any person interested in the proposed contract.

AUTHORIZED SIGNATURE



SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 27th  
DAY OF June, 2012  
N. Castro  
NOTARY PUBLIC

**NON-CONVICTION AFFIDAVIT**

STATE OF LOUISIANA  
PARISH OF Jeff

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY CAME AND APPEARED James Beggs, WHO AFTER BEING BY ME DULY SWORN, DEPOSED AND SAID THAT HE IS THE FULLY AUTHORISED Representative OF Cypress Construction & Contracting, Inc. (HEREIN AFTER REFERRED TO AS BIDDER) THE PARTY WHO SUBMITTED A BID FOR Accessway Central Pump Station, BID NO. 1006A14 AND SAID AFFIANT FURTHER SAID:

He/she personally has not been convicted of, nor has he/she entered a plea of guilty or nolo contendere to any of the crimes or equivalent federal crimes listed below. No individual partner, incorporator, director, manager, officer, organizer, or member, who has a minimum of a ten percent ownership in the bidding entity, has been convicted of, or has entered a plea of guilty or nolo contendere to any of the crimes or equivalent federal crimes listed below.

A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall permanently bar any person or the bidding entity from bidding on public projects:

- (a) Public bribery (R.S. 14:118).
- (b) Corrupt influencing (R.S. 14:120).
- (c) Extortion (R.S. 14:66).
- (d) Money laundering (R.S. 14:230).

A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall bar any person or the bidding entity from bidding on public projects for a period of five years from the date of conviction or from the date of the entrance of the plea of guilty or nolo contendere:

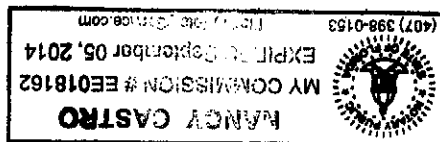
- (a) Theft (R.S. 14:67).
- (b) Identity Theft (R.S. 14:67.16).
- (c) Theft of a business record (R.S. 14:67.20).
- (d) False accounting (R.S. 14:70).
- (e) Issuing worthless checks (R.S. 14:71).
- (f) Bank fraud (R.S. 14:71.1).
- (g) Forgery (R.S. 14:72).
- (h) Contractors; misapplication of payments (R.S. 14:202).
- (i) Malfeasance in office (R.S. 14:134).

The five-year prohibition provided for in this section shall apply only if the crime was committed during the solicitation or execution of a contract or bid awarded pursuant to these provisions. If evidence is submitted substantiating that a false attestation has been made and the project must be readvertised or the contract cancelled, the awarded entity making the false attestation shall be responsible to the public entity for the costs of rebidding, additional costs due to increased costs of bids and any and all delay costs due to the rebid or cancellation of this project.

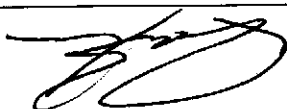
NOTARY PUBLIC



SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 27th  
DAY OF June, 20 12



AUTHORIZED SIGNATURE



## CODE OF CONDUCT

### A. POLICY STATEMENT.

The citizens of the City of Mandeville rightfully expect elected municipal officials, unclassified employees and appointed personnel to adhere to the highest standards of professional and ethical conduct in the performance of their duties and responsibilities. The City of Mandeville Personnel Policies and Police Standard Operating Procedures Manual specifies the conduct of the classified civil service employee so that this code does not apply to this class of city employees. This code applies to the following persons:

1. Elected municipal officials of the City of Mandeville.
- Unclassified employees of the City of Mandeville.
3. Persons appointed or elected to the various boards and commissions of the City of Mandeville.
4. Contractors as described in Section D of this code. Contractors are not obligated to participate in the training requirements of this code but will be required to demonstrate that they are familiar with this code and the Louisiana State Code of Ethics.

While this document in and of itself is not punitive in nature, it complements the existing laws incorporated in the Louisiana State Code of Ethics and other existing policies that cover persons employed by the City of Mandeville. All elected municipal officials, unclassified employees and appointed personnel of the city in whatever capacity should know that infractions of this Code of Conduct may also be violations prohibited by state ethical rules and regulations which do carry punitive provisions.

Every person covered by this Code has a unique position of trust in the community and, therefore, assumes a special responsibility to act with the highest standards of honesty, fidelity and fairness. Said persons should conduct themselves in a manner that merits public trust and confidence.

### B. PURPOSE OF THIS POLICY.

Section 7-02 of the City Charter for the City of Mandeville provides that "All officers and employees of the city government shall comply with the provisions of the Louisiana State Code of Ethics pertaining to local government." The purpose of the Code of Conduct is to complement the Code of Ethics with a code that requires conduct over and above the strict adherence to the letter of the general law and the Louisiana State Ethics Code. To establish a set of guidelines for the behavior of the persons covered by this code which will enhance the effectiveness of city government while maintaining the high standards of quality and professionalism necessary for the city to successfully project the best image possible.



**C. CITY OF MANDEVILLE CODE OF CONDUCT FOR ELECTED,  
UNCLASSIFIED EMPLOYEES AND APPOINTED PERSONNEL.**

All persons in each category as defined by the above title shall sign a copy of this Code of Conduct thereby acknowledging that they have received a copy and understand that it is therefore their responsibility to comply with this Code of Conduct and any revisions to it as follows:

1. Adhere to the principle that all activities undertaken by persons covered by this code shall be in the best interests of the citizens of the city and with the goal of perfection of city government. That no personal gain or benefit, except for compensation and benefits accompanying applicable personnel, should be accepted.
2. Accept the responsibility that any improper conduct can reflect negatively on the public image of the city and bring embarrassment and discontent to the citizens of the city. It is the intent of this Code of Conduct to make the persons covered by this code aware, through training, of the existing laws and city rules and regulations of employment that are designed to respond to any improper conduct in whatever context.
3. Participate in a comprehensive training program regarding the Louisiana State Code of Ethics and this Code of Conduct for all levels of personnel defined by this Code of Conduct except Contractors. This training shall include, but not be limited to, ongoing small and large group training sessions highlighting general rules of conduct and specific rules of conduct pertaining to elected municipal officials, unclassified employees or appointed personnel. This training shall amplify what personnel can or cannot do in complying with the Louisiana State Code of Ethics and this Code of Conduct. It shall also identify and help personnel recognize potential conflicts of interest and provide mechanisms for alerting the proper officials of such potential conflicts. Each person covered by this code, except Contractors, shall be required to participate in at least two hours of training per calendar year. These hours shall be certified to the Personnel Director and be a part of the person's record.
4. Always be in full compliance with all applicable federal, state and local laws and regulations.
5. Direct all requests for documents under the Public Records law to the City Attorney for response. All requests for documents under the Public Records law shall be in writing.
6. Respect the confidentiality of information concerning the City, City personnel or proceedings of the City.

#### **D. CONTRACTORS.**

Any individual or business entity that enters into a contract with the City of Mandeville shall be subject to this code and be referred to herein as a "Contractor". Every Contractor shall be mindful of the principles of law relating to the Code of Governmental Ethics of the State of Louisiana. The Contractor shall not make or authorize any payment or give anything of value directly or indirectly to an official of this government for the purpose of influencing an act or decision of official capacity or for assisting in obtaining or retaining business for or with, or for direction of business to any person. Likewise, the Contractor will not make or authorize any payment to anyone for the purpose of influencing any official act or decision, or inducing such entity or person to use any influence with this government to assist anyone in obtaining or retaining business for or with, or directing business to, any person. Any breach or violation of this clause by the Contractor shall be considered a substantial and material breach of its contract with the City of Mandeville.

That all Contractors shall sign an affidavit in the form attached hereto as Attachment A as a condition of their contract with the City of Mandeville.

#### **E. COMPLAINTS.**

All complaints shall be in writing and signed by the person making the complaint. There shall be no "anonymous complaints". Any person wishing to file a complaint regarding any person covered by this code shall send the complaint to the City Attorney's Office where a log will be kept of such complaints. A copy of any complaint regarding any person covered by this code shall be sent to the person complained of within three days of the receipt of the complaint. The person complained of shall have five days to respond in writing to the complaint and his or her response shall be part of the complaint record. If such complaint alleges ethical violations, then the City Attorney shall recommend to the person making the complaint that he or she forward a copy of the complaint to the Louisiana Board of Ethics for further action.

Any person who wishes to make a complaint to the Louisiana Board of Ethics may do so by sending the complaint to: Louisiana Ethics Administration Program, P.O. Box 4368, Baton Rouge, LA, 70821 or call the Board office at (225) 219-5600.

ATTACHMENT "A"

CODE OF CONDUCT AFFIDAVIT

Florida  
STATE OF FLORIDA

PARISH OF

Lee

AFFIDAVIT

BEFORE ME, the undersigned Notary Public personally came and appeared:

James Boyd, if a corporation, LLC, or partnership, then the affidavit may be signed by

corporate officer, member or partner stating that the subject organization is aware of the Code of

Governmental Ethics.

Who, after first being duly sworn did depose and say he/she is the president, corporate officer, or designee of  
Cypress Construction and that he/she is familiar with the Code of Governmental Ethics  
contained in Louisiana Revised Statutes at Title 42, Chapter 15 and is familiar with and has a copy of the  
Code of Conduct for the City of Mandeville; and

That, Cypress Construction will conform to the provisions in the Code of Governmental  
Ethics and the Code of Conduct as a condition of any contract between the company and the City of  
Mandeville, Louisiana; and

That, the provisions of the Code of Governmental Ethics and the Code of Conduct shall apply to any  
subcontract that the contractor has with any other entity in the performance of its contract with the City of  
Mandeville, Louisiana and there shall be a statement in every subcontract to that effect.

WITNESSES:

*[Signature]*

CONTRACTOR:

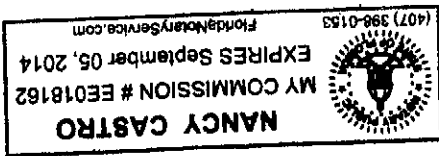
*[Signature]*

By:

Sworn to and subscribed before me this

27th day of June, 2014

END OF SECTION



# **CORPORATE RESOLUTION**

EXCERPT FROM MINUTES OF MEETING OF THE BOARD OF DIRECTORS OF

INCORPORATED.

AT THE MEETING OF DIRECTORS OF Cypress Construction & Contracting, Inc. INCORPORATED, DULY NOTICED AND HELD ON 6/19/2012. A QUORUM BEING THERE PRESENT, ON MOTION DULY MADE AND SECONDED, IT WAS:

RESOLVED, THAT James B. Berg BE AND IS HEREBY APPOINTED, CONSTITUTED AND DESIGNATED AS AGENT AND ATTORNEY-IN-FACT OF THE CORPORATION WITH FULL POWER AND AUTHORITY TO ACT ON BEHALF OF THIS CORPORATION IN ALL NEGOTIATIONS, BIDDING, CONCERNS, AND TRANSACTIONS WITH THE CITY OF MANDEVILLE OR ANY OF ITS AGENCIES, DEPARTMENTS, EMPLOYEES OR AGENTS, INCLUDING BUT NOT LIMITED TO, THE EXECUTION OF ALL BIDS, PAPERS, DOCUMENTS, AFFIDAVITS, BONDS, SURETIES, CONTRACTS AND ACTS AND TO RECEIVE AND RECEIPT THEREFOR ALL PURCHASE ORDERS AND NOTICES ISSUED PURSUANT TO THE PROVISIONS OF ANY SUCH BID OR CONTRACT, THIS CORPORATION HEREBY RATIFYING, APPROVING, CONFIRMING, AND ACCEPTING EACH AND EVERY SUCH ACT PERFORMED BY SAID AGENT AND ATTORNEY-IN-FACT.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT COPY OF AN EXCERPT OF THE MINUTES OF THE ABOVE DATED MEETING OF THE BOARD OF DIRECTORS OF SAID CORPORATION, AND THE SAME HAS NOT BEEN REVOKED OR RESCINDED.



SECRETARY-TREASURER

DATE

6/22/2012