

**CONTRACT FOR SYSTEM HARDENING AND RELIABILITY IMPROVEMENT
WORK ORDER NO. 7
7th AVE N Circuits 0702, 0703 and 0704
Storm Hardening & Voltage Conversion**

THIS WORK ORDER for System Hardening and Reliability Improvements ("Work Order" hereafter) is made on _____, between the **City of Lake Worth Beach**, a Florida municipal corporation located at 7 North Dixie Highway, Lake Worth, Florida 33460 ("City") and **The L. E. Myers Co.**, a Florida corporation ("Contractor").

1.0 Project Description:

The City desires the Contractor to provide all goods, services, materials and equipment identified herein related to the System Hardening and Reliability Improvements project generally described as: **7th AVE N Circuits 0702, 0703 and 0704 Storm Hardening & Voltage Conversion** (the "Project"). The Project is more specifically described in the proposal prepared by The L.E. Myers Co., dated March 4th, 2021 and plans prepared by Power Engineers and are incorporated herein by reference.

2.0 Scope

Under this Work Order, the Contractor will provide the City of Lake Worth with construction services for the Project as specified in the **Contractor's proposal attached hereto and incorporated herein as Exhibit "1"**.

3.0 Schedule and Liquidated Damages

Substantial completion of all services and work under this Work Order shall be within **180** calendar days from the Effective Date of this Work Order. Final completion of all services and work (and all punch-list items (if any)) under this Work Order shall be within **200** calendar days from the Effective Date of this Work Order. The Effective Date of this Work Order is the date following the parties' execution of this Work Order and the City's delivery of a Notice to Proceed to the Contractor via e-mail, facsimile or other form of delivery as documented by the City. Substantial completion occurs when the services and work has progressed to the point where, in the opinion of the City, the work is sufficiently complete in accordance with the Contract Documents and this Work Order, so that the Project can be utilized for the purposes for which it is intended. Final completion occurs when all services and work (including punch-list items) has been completed and the project becomes fully operational and accepted by the City.

Liquidated Damages. The City and Contractor recognize that time is of the essence under this Work Order and the Contract Documents, and that the City will suffer financial loss if the services and work described in this Work Order and the Contract Documents are not completed within the times specified in this Work Order. The City and Contractor recognize, agree and acknowledge that it would be impractical and extremely difficult to ascertain and fix the actual damages that the City would suffer in the event Contractor neglects, refuses, or otherwise fails to complete the services and work within the time specified. Accordingly, instead of requiring any such proof, the City and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay the City **100** dollars (\$100 .00) for each day that expires after the time specified in this Work Order.

4.0 Compensation

This Work Order is issued for a not to exceed amount of \$ 3,576,775.09 . The attached proposal identifies all costs and expenses included in the lump sum, not to exceed amount.

The following Direct Purchases are to be made under this Work Order by the City:
None.

5.0 Project Manager

The Project Manager for the Contractor is Raymond Richards, phone: 407-466-4663; email: RRichards@mygroup.com; and, the Project Manager for the City is Paul Nicholas, phone: 561-533-7353; email: pnicholas@lakeworthbeachfl.gov.

6.0 Progress Meetings

The Contractor shall schedule periodic progress review meetings with the City Project Manager as necessary but every 30 days as a minimum.

7.0 Contractor's Representations

In order to induce the City to enter into this Work Order, the Contractor makes the following representations:

7.1 Contractor has familiarized itself with the nature and extent of the Contract Documents including this Work Order, work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or furnishing of the work.

7.2 Contractor has obtained at his/her own expense and carefully studied, or assumes responsibility for obtaining and carefully studying, soil investigations, explorations, and test reports which pertain to the subsurface conditions at or contiguous to the site or otherwise may affect the cost, progress, performance or furnishing of the work as Contractor considers necessary for the performance or furnishing of the work at the stated work order price within the Work Order stated time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of the RFP; and no additional examinations, investigations, explorations, tests, reports, studies or similar information or data are or is deemed necessary by Contractor for such purposes.

7.3 Contractor has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said Underground Facilities are or is deemed necessary by the Contractor in order to perform and furnish the work under this Work Order price, within the Work Order time and in accordance with the other terms and conditions of the Contract Documents.

7.4 Contractor has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.

7.5 Contractor has given the City's Contract Administrator written notice of all conflicts, errors or discrepancies that he or she has discovered in the Contract Documents and the written resolution thereof by City or its designee is acceptable to the Contractor.

8.0 Warranty

Warranty. The Contractor warrants and guarantees to the City that all services and work provided under this Work Order will be in accordance with this Work Order and the other Contract Documents. The Contractor warrants that (a) all materials and parts supplied under this Work Order shall be free from defects for one (1) year from the final completion of all work (unless a longer manufacturer warranty applies); (b) all services and work performed under this Work Order will be free from defects for one (1) year from the final completion of all work and the project shall be fully operational without unreasonable downtime or failures; and (c) that the services and work will conform to the requirements of the Contract Documents. If, at any time prior to the expiration of the one (1) year warranty period, the City discovers any failure or breach of the Contractor's warranties or the Contractor discovers any failure or breach of the Contractor's warranties, the Contractor will, upon written notice from City or of its own accord, at the Contractor's sole cost and expense, promptly correct such failure or breach (which corrective action must include, without limitation, any necessary removal, disassembly, reinstallation, repair, replacement, reassembly, retesting, and/or re-inspection of any part or portion of the work and any other property damaged or affected by such failure, breach, or corrective action). The Contractor will remedy any such failure or breach so, to the extent possible, to avoid unnecessary disruptions to the operations of City or its systems. In the event the Contractor fails to initiate and diligently pursue corrective action within five (5) days of the Contractor's receipt of the City's notice or the Contractor's discovery of the same, the City may undertake such corrective action at the Contractor's expense.

7.0 Authorization

This Work Order is pursuant to the System Hardening and Reliability Improvements Contract for between the City of Lake Worth and the Contractor, dated May 15, 2018 ("Contract" hereafter). If there are any conflicts between the terms and conditions of this Work Order and the Contract, the terms and conditions of the Contract shall prevail.

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IN WITNESS WHEREOF the parties hereto have made and executed this Work Order No. 7 to the System Hardening and Reliability Improvements Agreement as of the day and year set forth above.

CITY OF LAKE WORTH BEACH, FLORIDA

ATTEST:

By: _____
Deborah M. Andrea, City Clerk

By: _____
Pam Triolo, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED FOR FINANCIAL
SUFFICIENCY

By: _____
Glen J. Torcivia, City Attorney

By: _____
Bruce T. Miller, Financial Services Director

CONTRACTOR:

The L.E. Myers Co.,

[Corporate Seal]

By: Jeff Webber

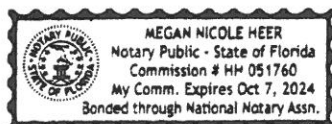
Print Name: Jeff Webber

Title: Regional Manager

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 8th day of March, 2021, by Jeff Webber, who was physically present, as Regional Manager (title), of The L.E. Myers Co., which is authorized to do business in the State of Florida, and who is personally known to me or who has produced the following Personally Known as identification.

Notary Public



Megan Heer
Print Name: Megan Heer
My commission expires: 10/7/2024

EXHIBIT "1"
Contractors Proposal



The L.E. Myers Co.
24925 State Road 46
Sorrento, FL 32776

407-466-4663 Phone

Raymond Richards
District Manager

Equal Opportunity Employer

March 4th, 2021
Paul Nicholas
Engineering Manager
City of Lake Worth

RE: Circuits 702, 703, 704 System Hardening and Reinsulate.
Prices effective until December 31, 2021

Dear Paul:

Thank you for allowing us the opportunity to work with you and the City of Lake Worth for your upcoming 7th Ave. Substation Projects. L.E. Myers recognizes that this work is critical to your system and we are committed to working hand and hand with the City to achieve the success of this project as well as their system wide program goals.

The L.E. Myers Co. shares the City's insistence and commitment to providing a safe working culture and environment for our employees and the public.

Total Lump Sum Price: \$3,576,775.09

Pricing Breakdown:

- Circuit 702
 - \$1,115,682.34 (Labor & Exp.)
 - \$ 437,922.72 (Equip.)
 - \$ 19,800.00 (Restoration)
 - \$ 227,150.00 (MOT)
 - Total \$1,800,555.06**
- Circuit 704
 - \$ 888,244.53 (Labor & Exp.)
 - \$ 320,081.87 (Equip.)
 - \$ 2,475.00 (Restoration)
 - \$ 161,150.00 (MOT)
 - Total \$1,371,951.40**
- Circuit 703
 - \$ 149,743.41 (Labor & Exp.)
 - \$ 57,346.35 (Equip.)
 - \$ 825.00 (Restoration)
 - \$ 196,353.87 (MOT)
 - Total \$ 404,268.63**

Crew Composition: #

Our crew structure will be compromised of four (4), four to five (4 - 5) man crews, and below we will detail their composition:

Crew 1 & 3, Circuits 702, 703, 704:

These four (4) men crews, primary purpose is to complete all make ready work in advance of the pole setting crew. In addition to supporting from the front end of operations, they will also drop back and complete transfers as time allows. They will be equipped with conventional aerial equipment to support these operations.

- 1-FM, 2-JL, 1-Ap
 - Pick-up
 - 55' Material Handler Bucket
 - 55' Material Handler Bucket
 - 4 Drum Rope Puller
 - 5052 Wire Stand/Tensioner Combo Unit
 - Material Trailer

Crew 2 & 4, Circuit 702, 703, 704:

These five (5) man crews, will be responsible primarily for pole installation. They will handle setting of all concrete and wood poles. They will be equipped with conventional aerial equipment to support these operations.

- 1-FM, 1-JL, 1-HEO, 2-Ap
 - Pick-up
 - 55' Material Handler Bucket
 - 55' Material Handler Bucket
 - Line Truck
 - 40T Crane
 - Material Trailer
 - Pole Trailer
 - Air Compressor
 - Air Compressor

Schedule:

Estimated duration for this project, is six (6) months. Our pricing is based on utilizing 4 (four) crews to facilitate construction. As listed above, circuit 702 will have a dedicated two (2) crews as well as circuit 704. We anticipate construction starting May and ending mid-late October.

In closing, we truly appreciate the opportunity and look forward to working with Paul and his team, to complete another portion of the system conversion/hardening.

We hope this meets with your approval. If you have any questions, do not hesitate to contact Raymond Richards @ 407-466-4663.

Sincerely,
The L. E. Myers Co.

Raymond Richards
District Manager

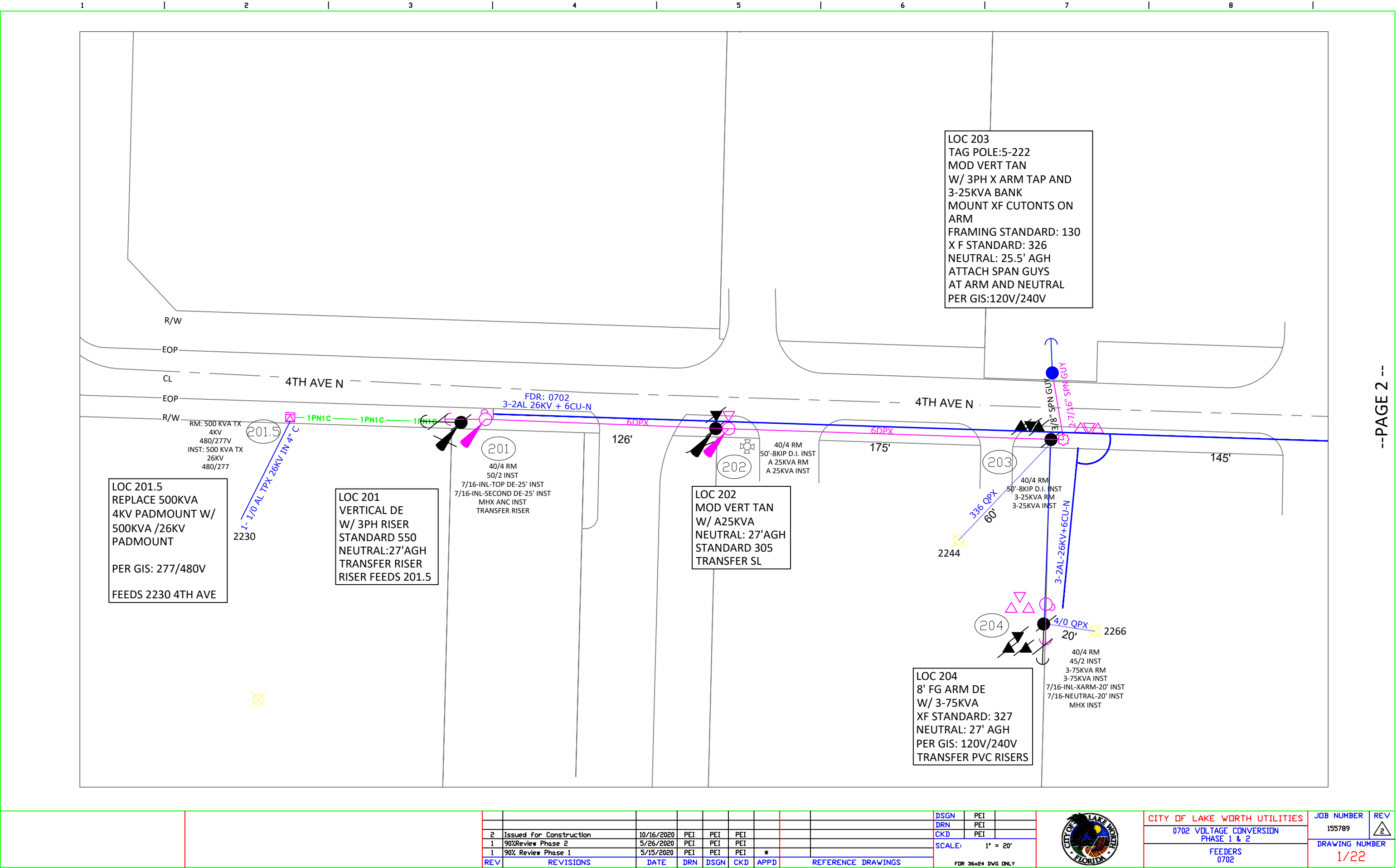


Danny Gessman
Regional Vice President

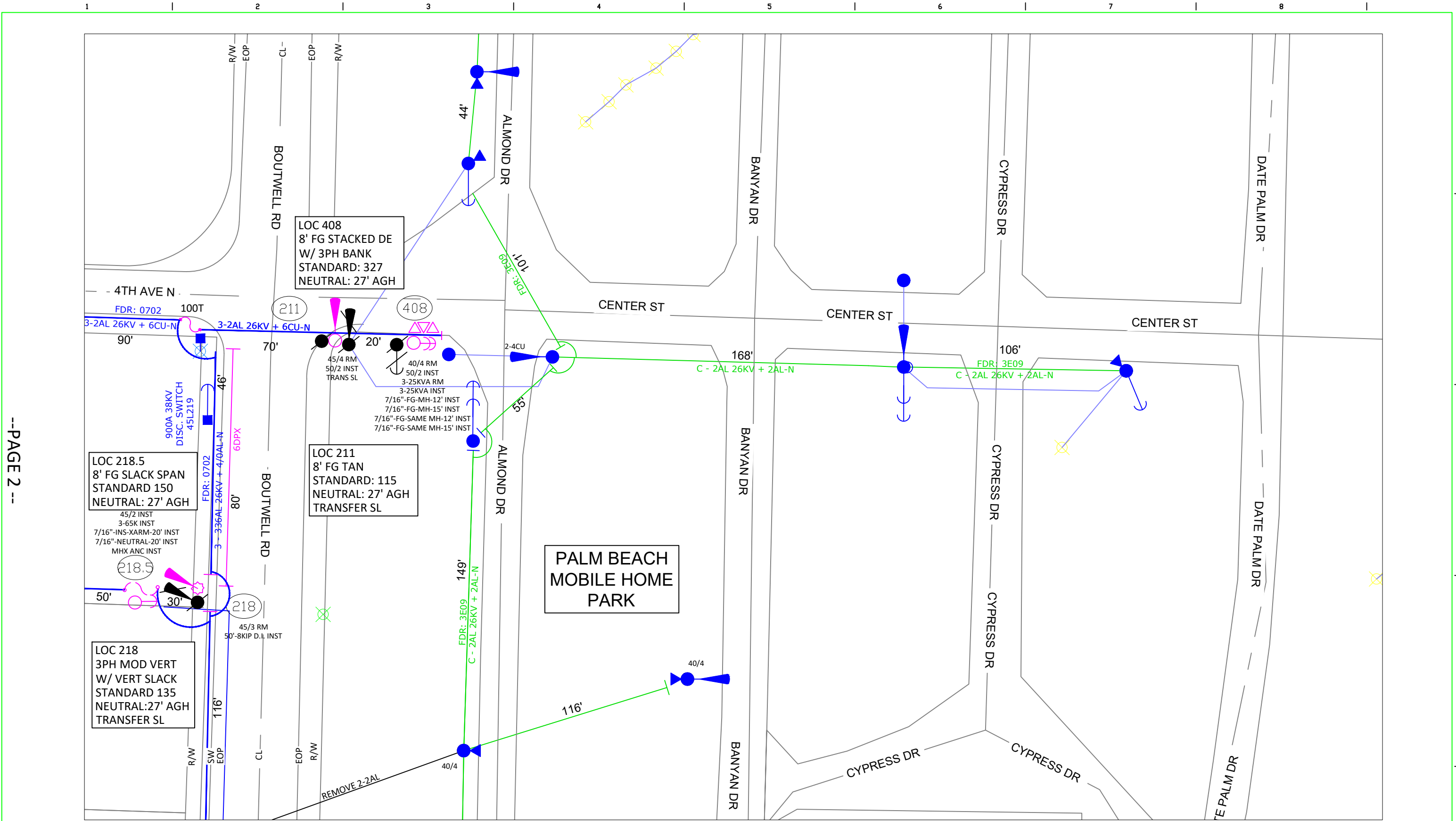


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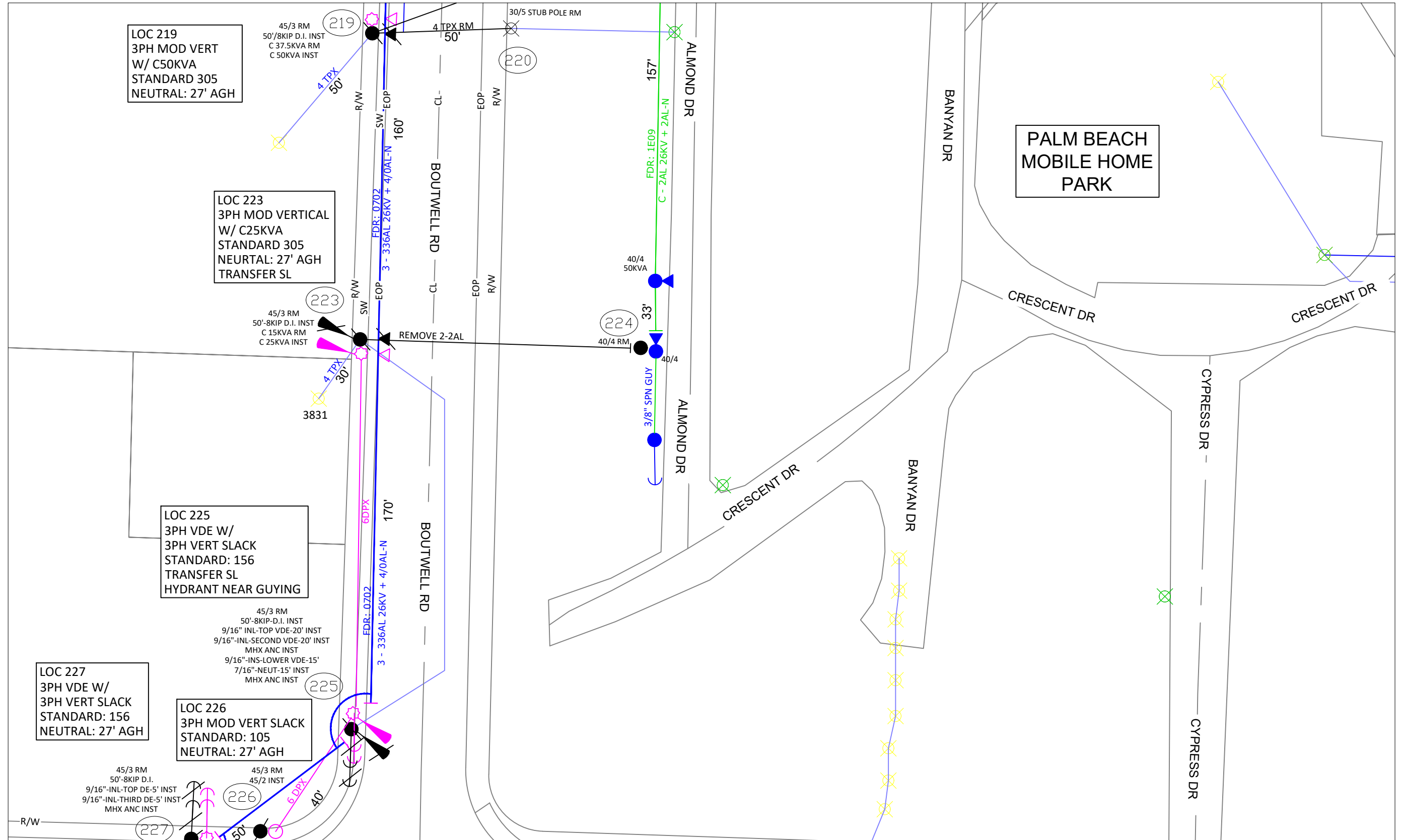


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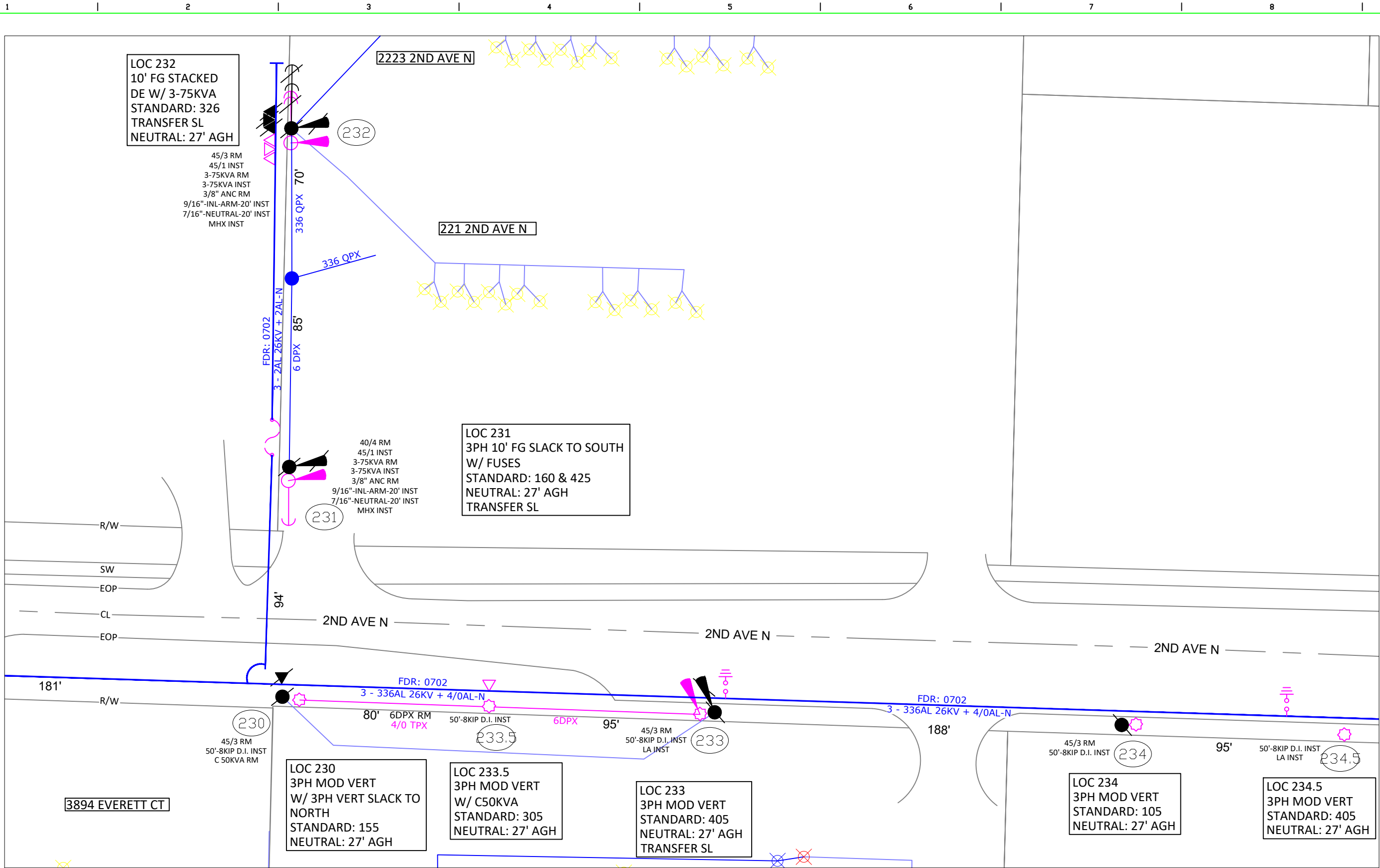


CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
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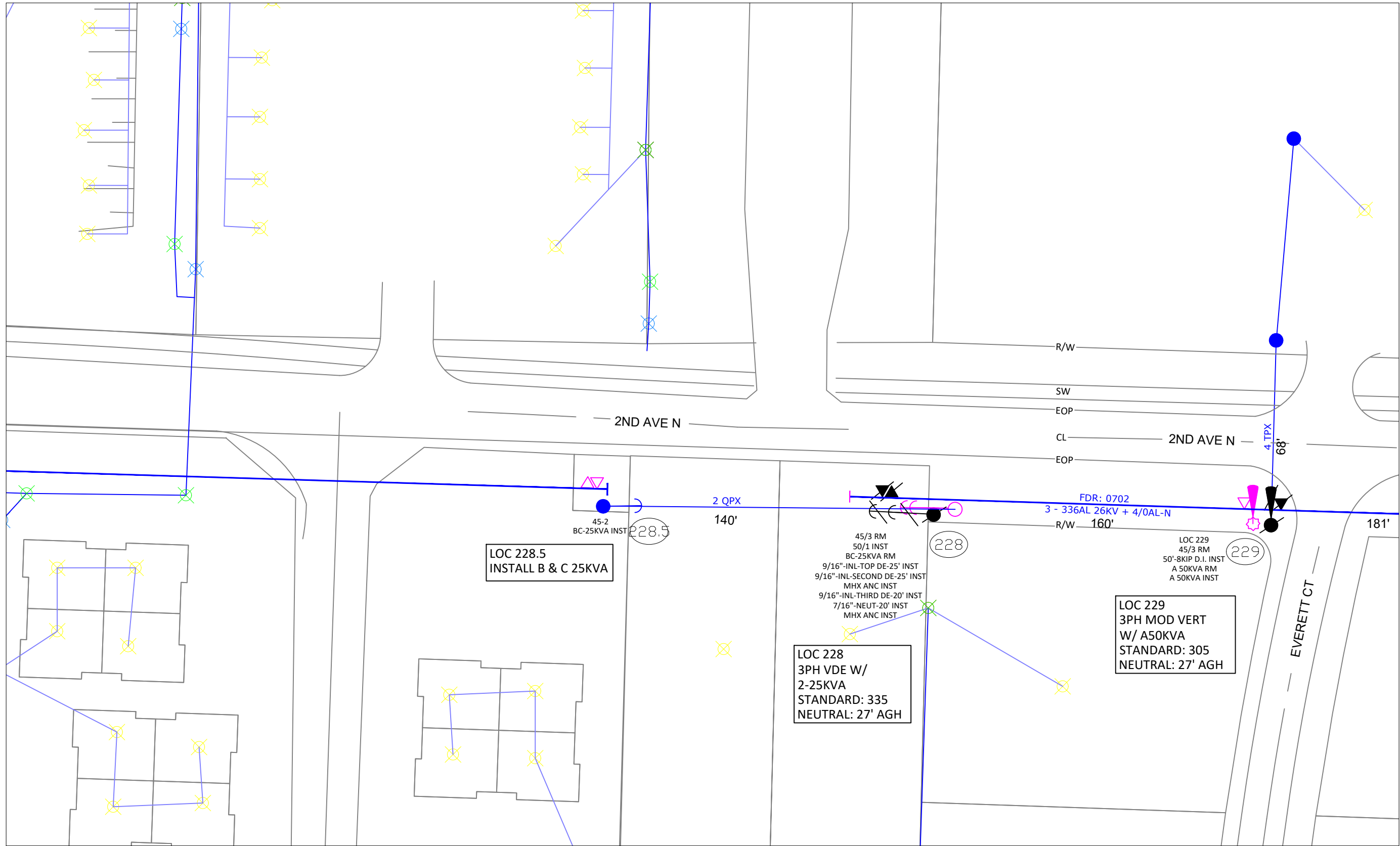
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CITY OF LAKE WORTH UTILITIES	
0702 VOLTAGE CONVERSION PHASE 1 & 2	
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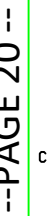
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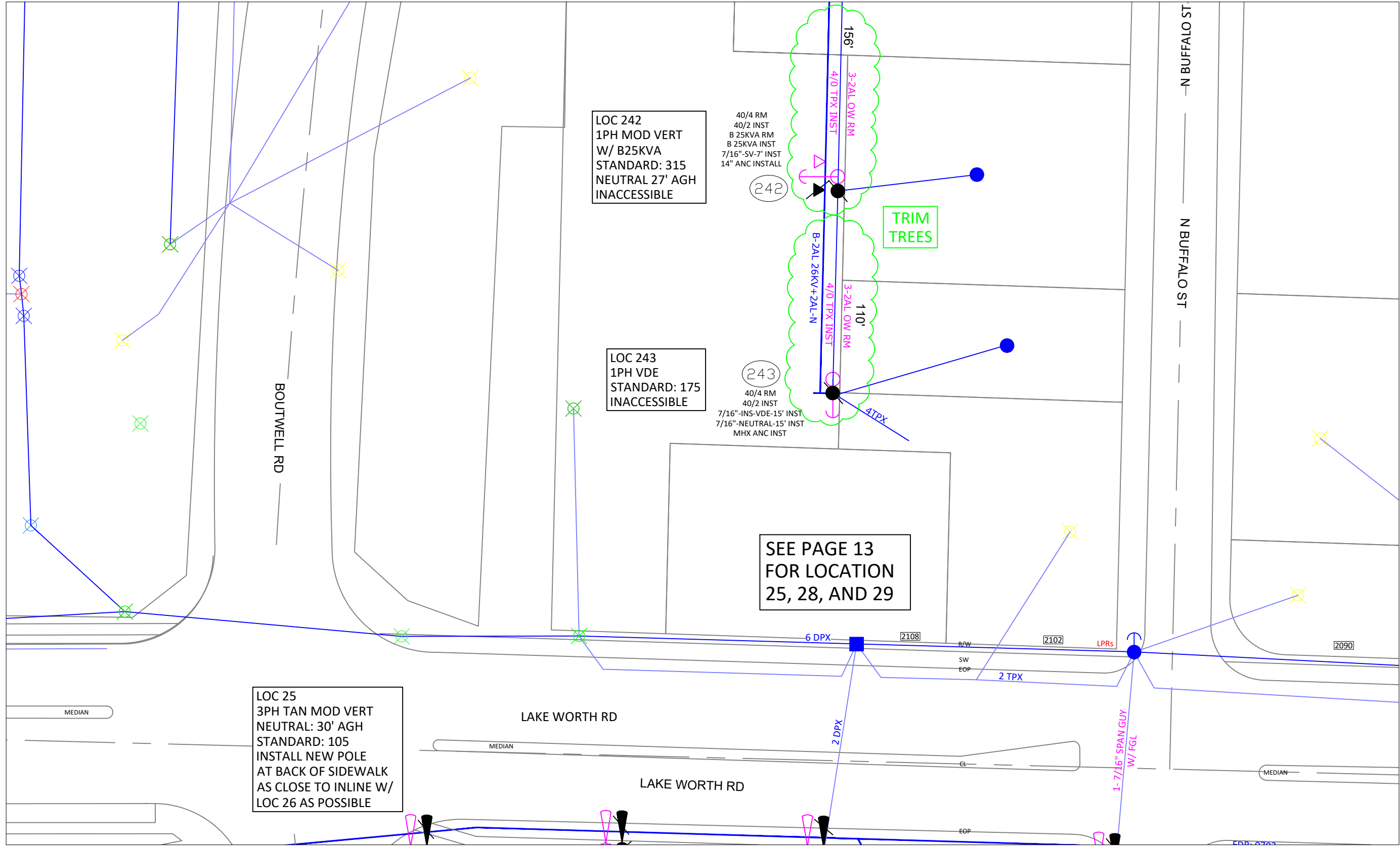
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CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
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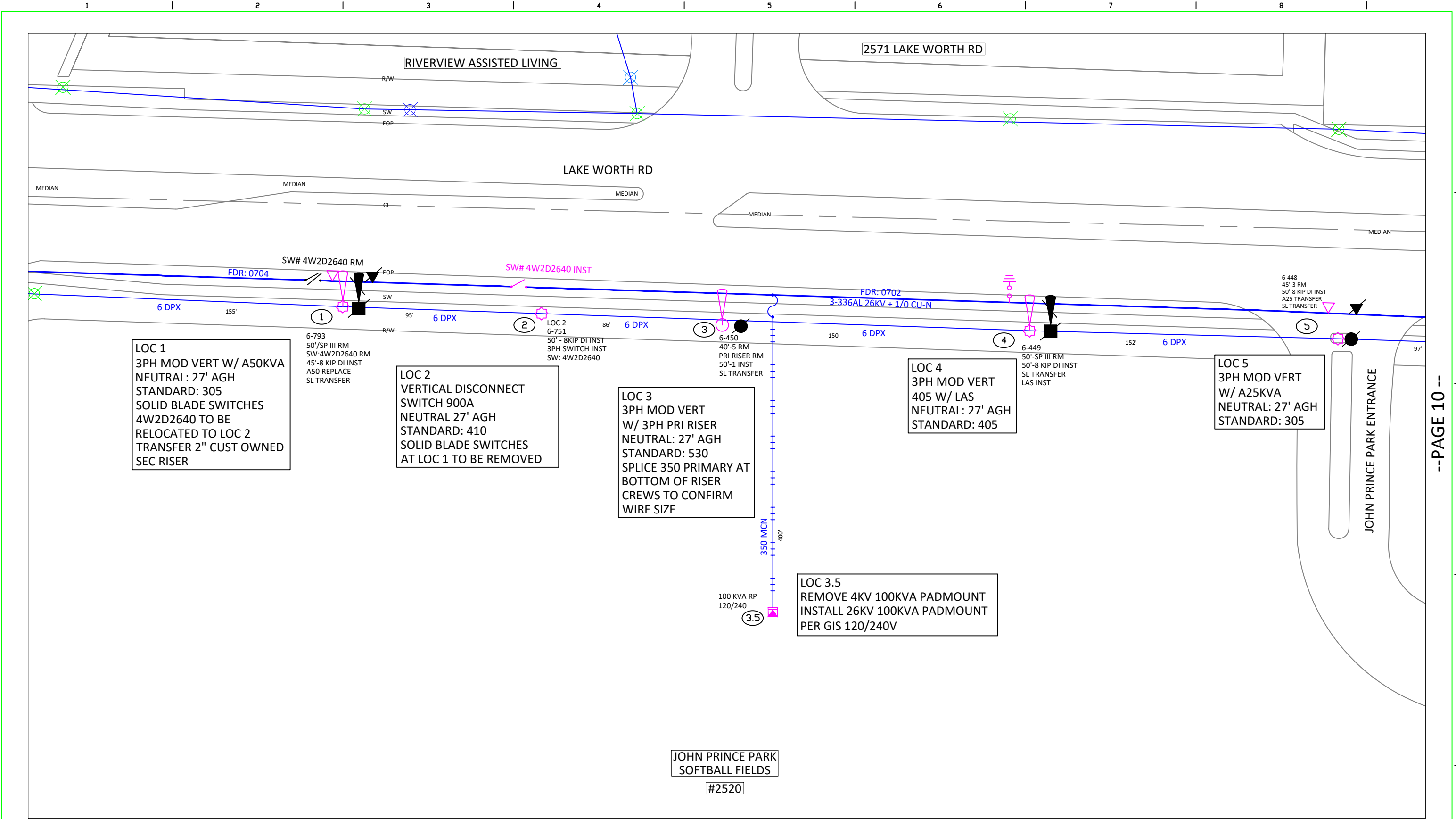
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CITY OF LAKE WORTH UTILITIES
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FEEDERS 0702

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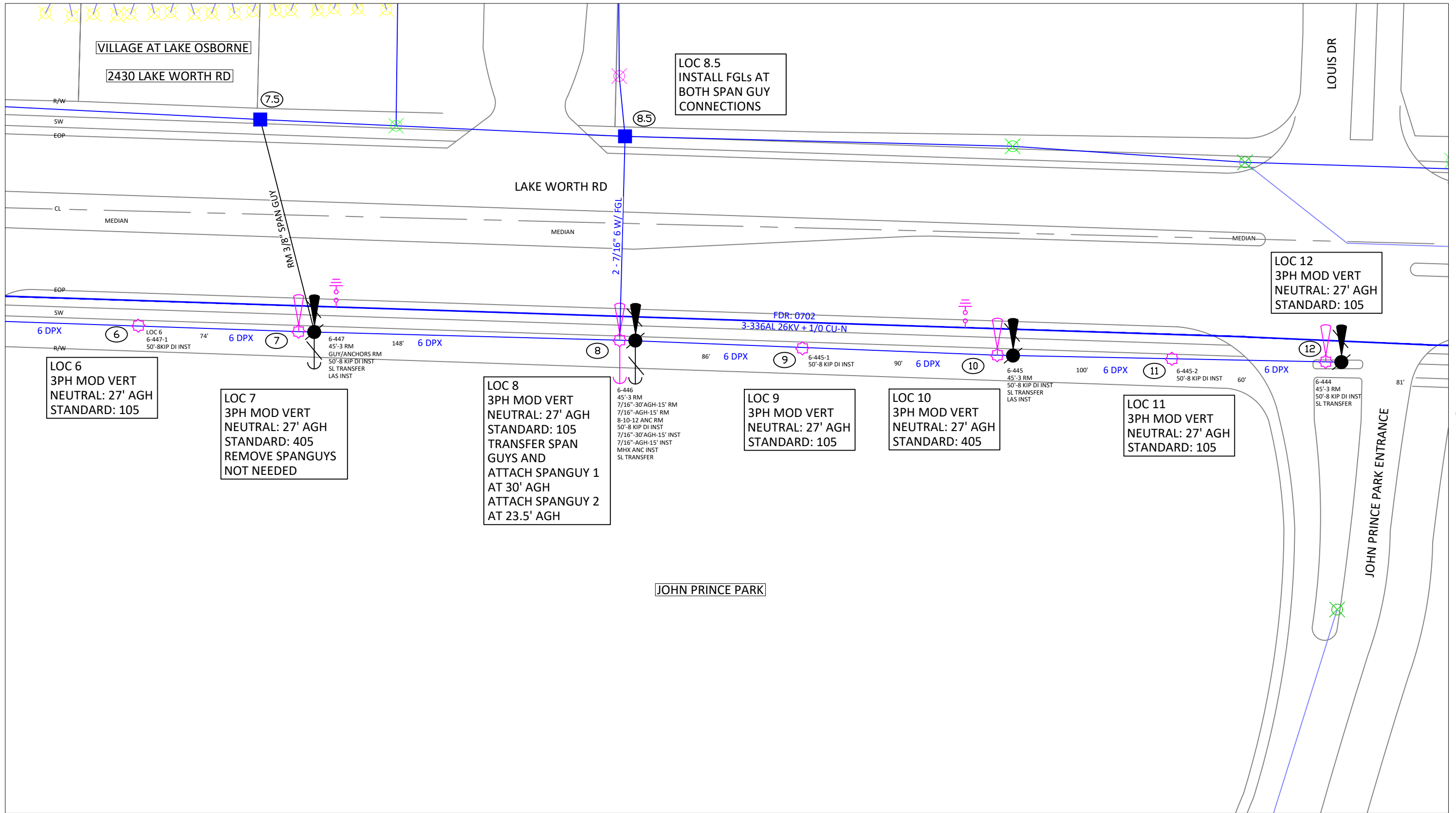
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CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
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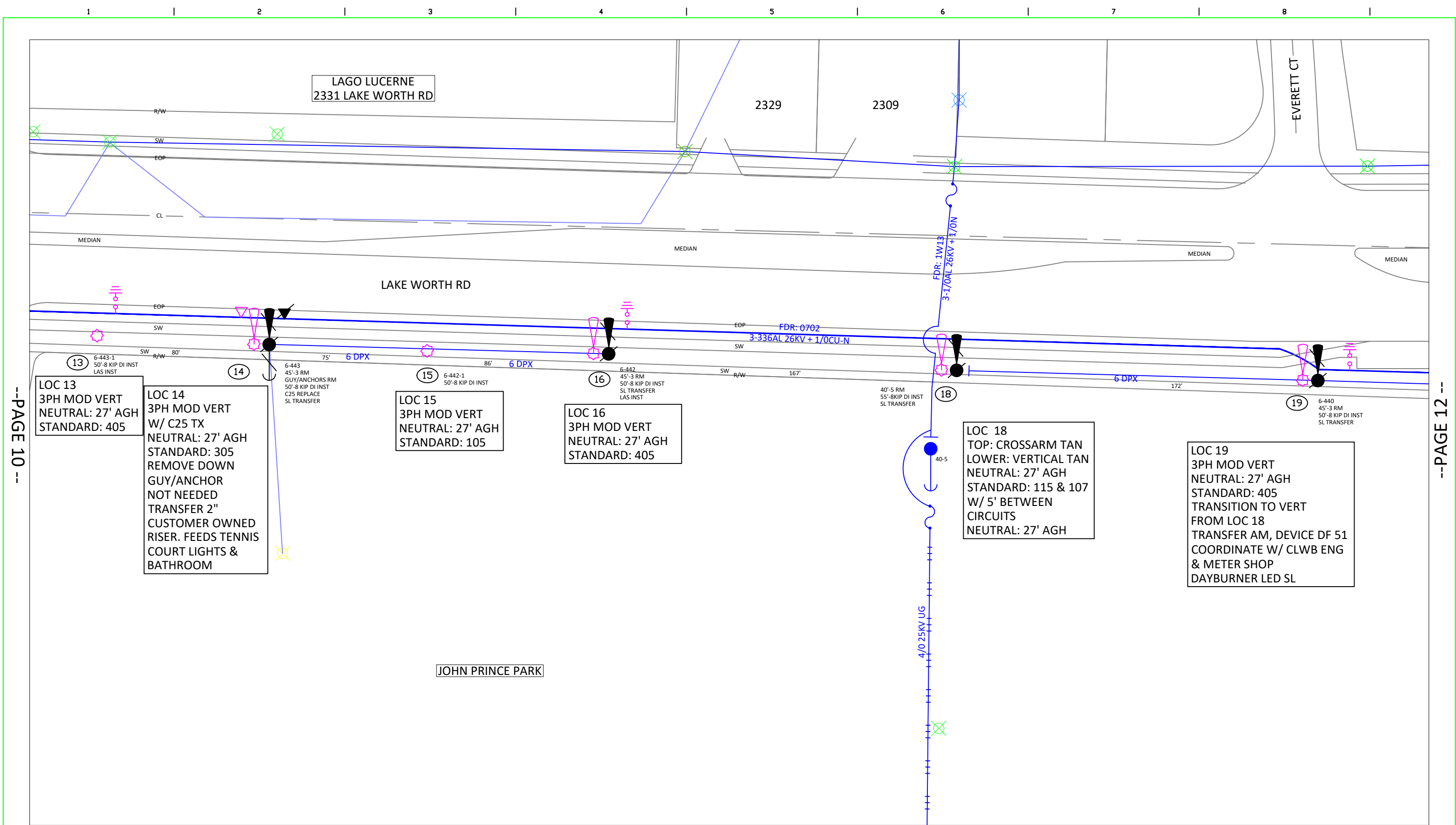
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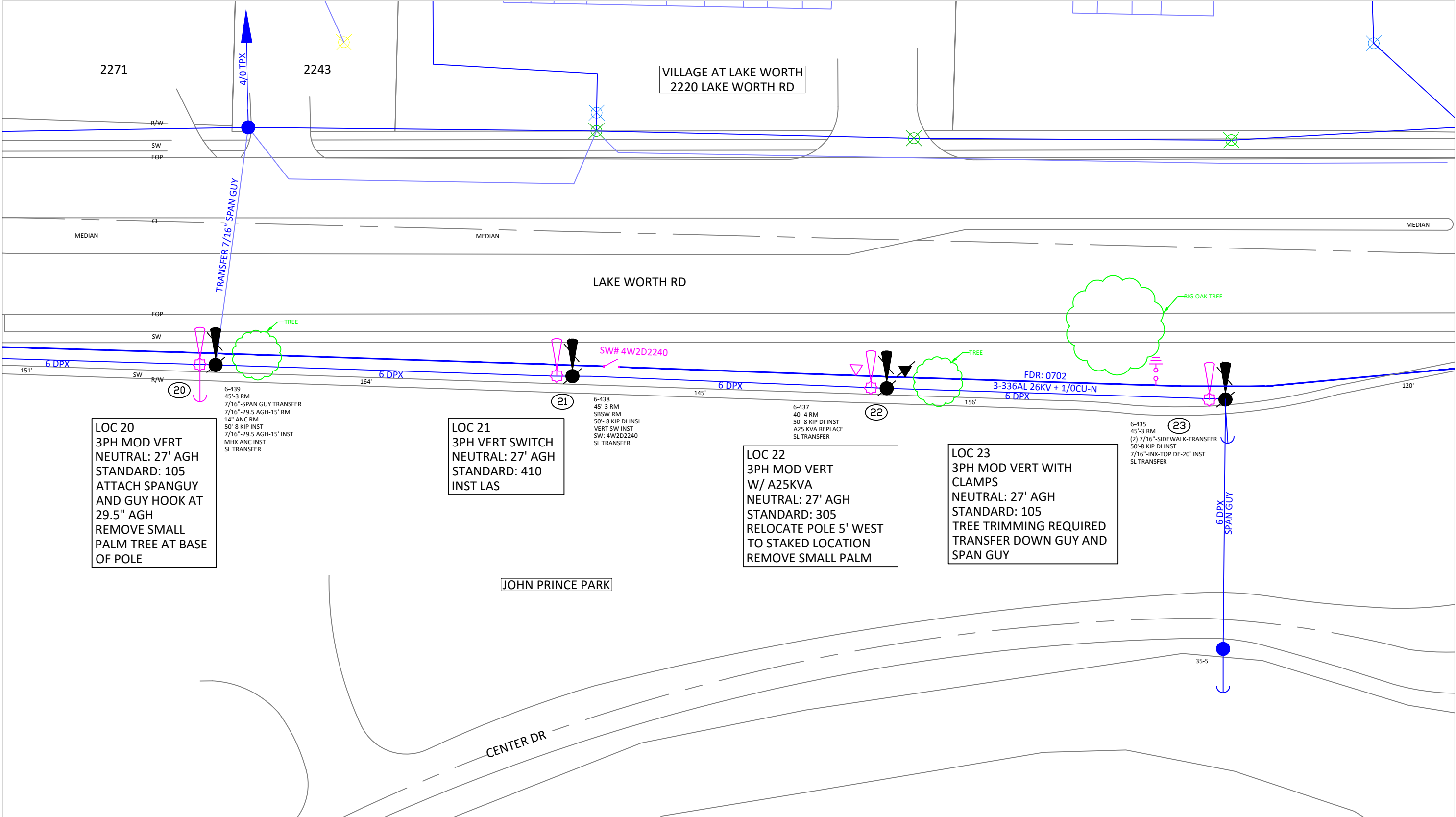


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0702 VOLTAGE CONVERSION PHASE 1 & 2
FEEDERS 0702

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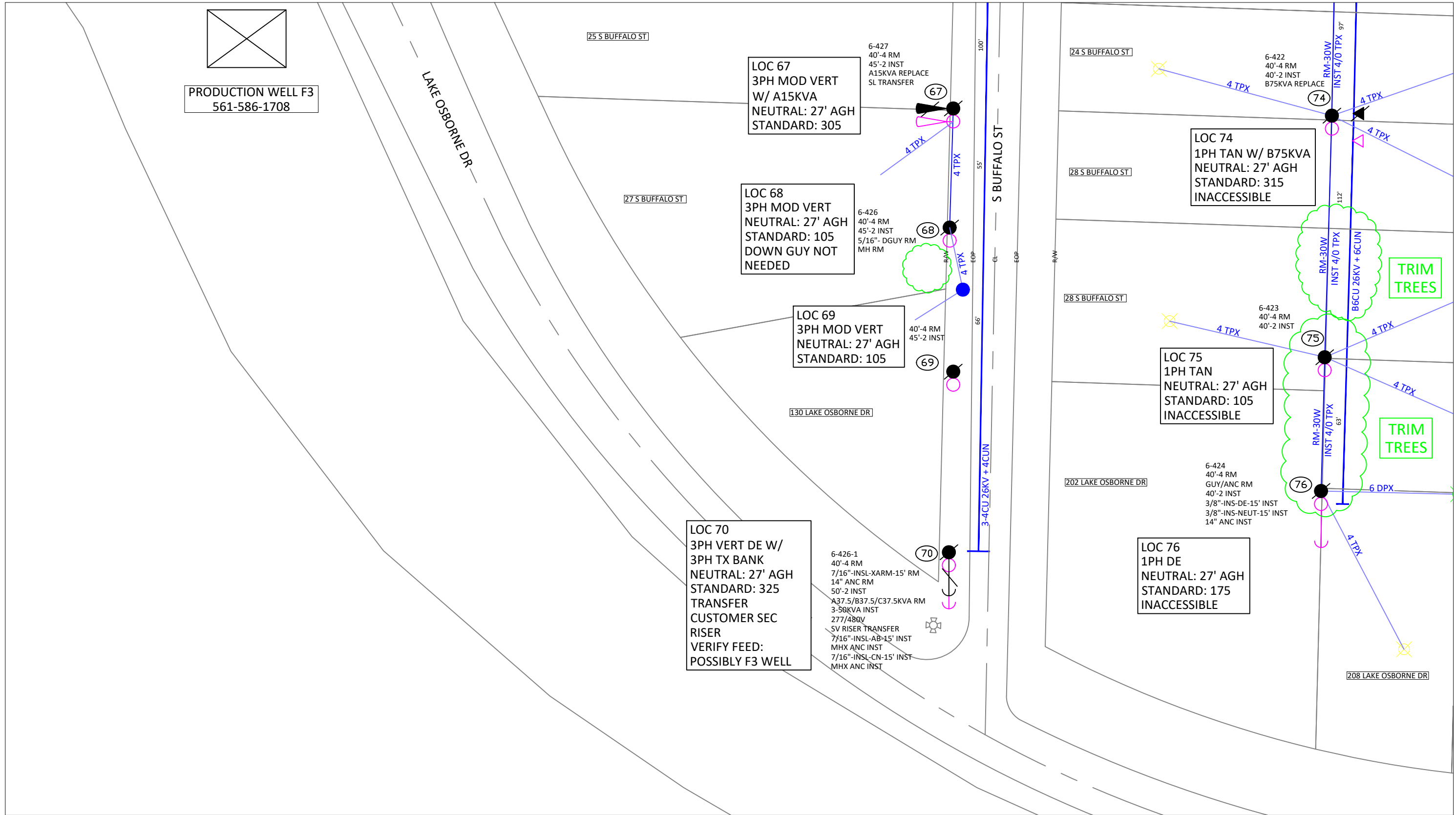
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CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
FEEDERS 0702

JOB NUMBER 155789	REV 2
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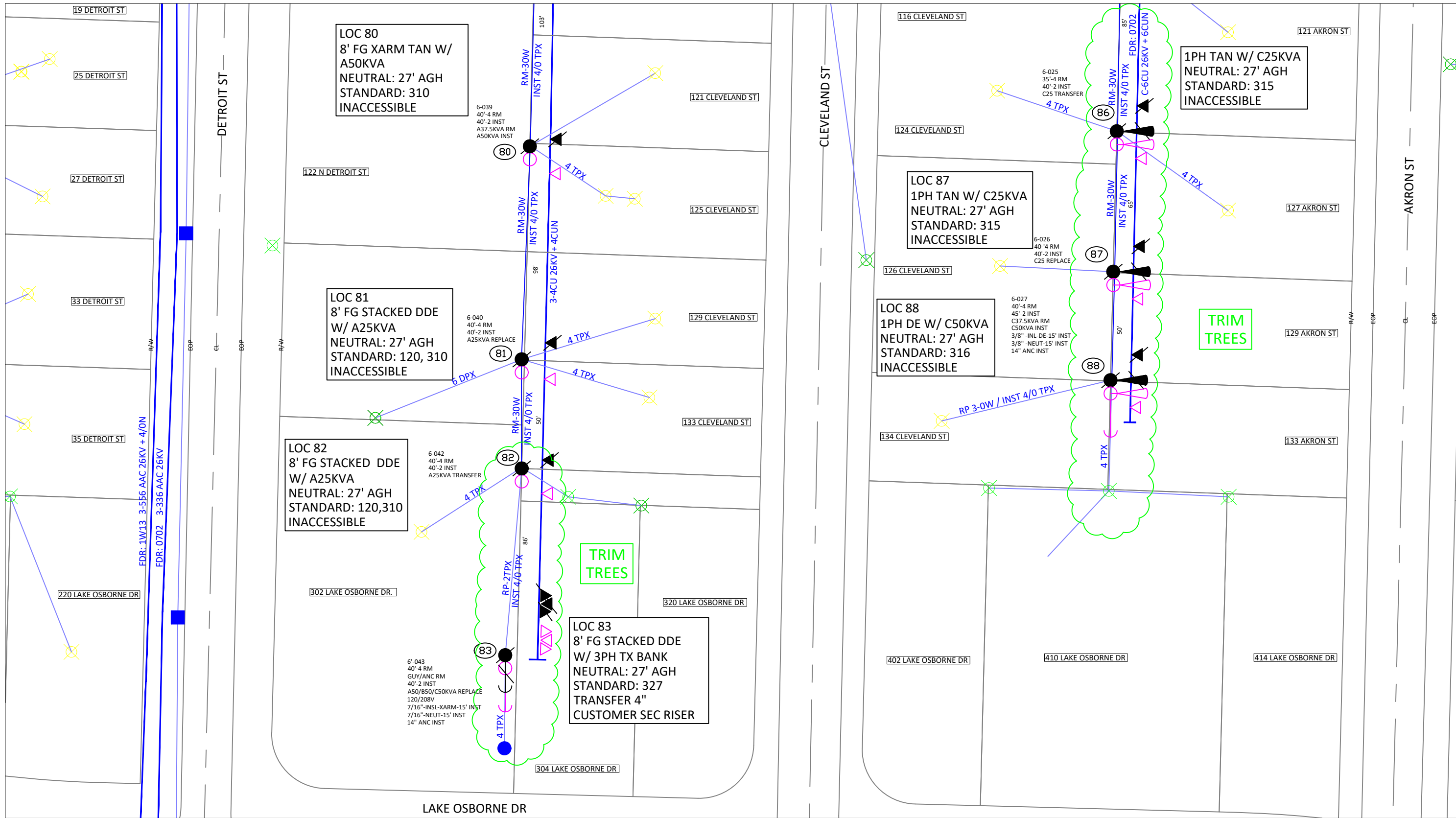


CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
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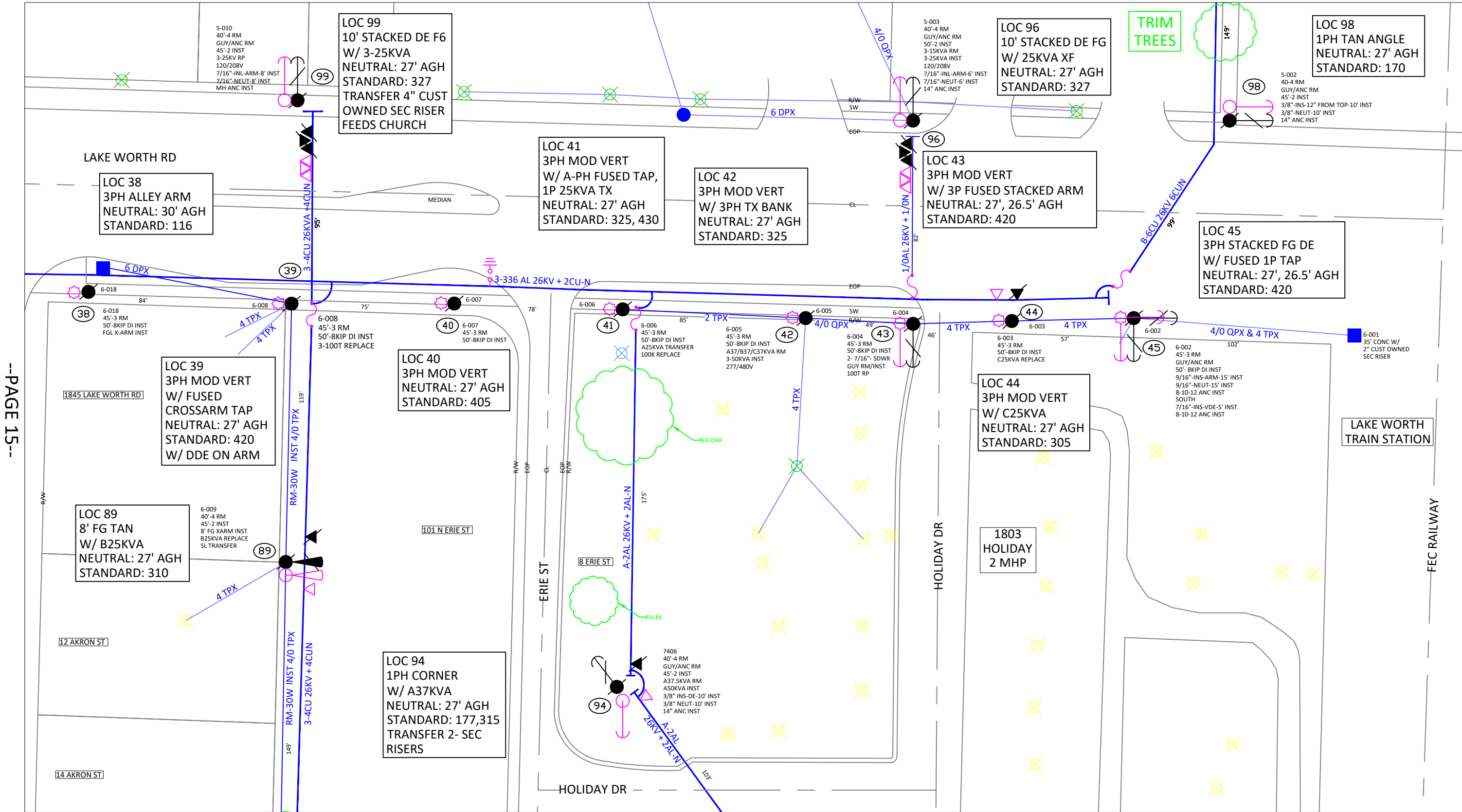
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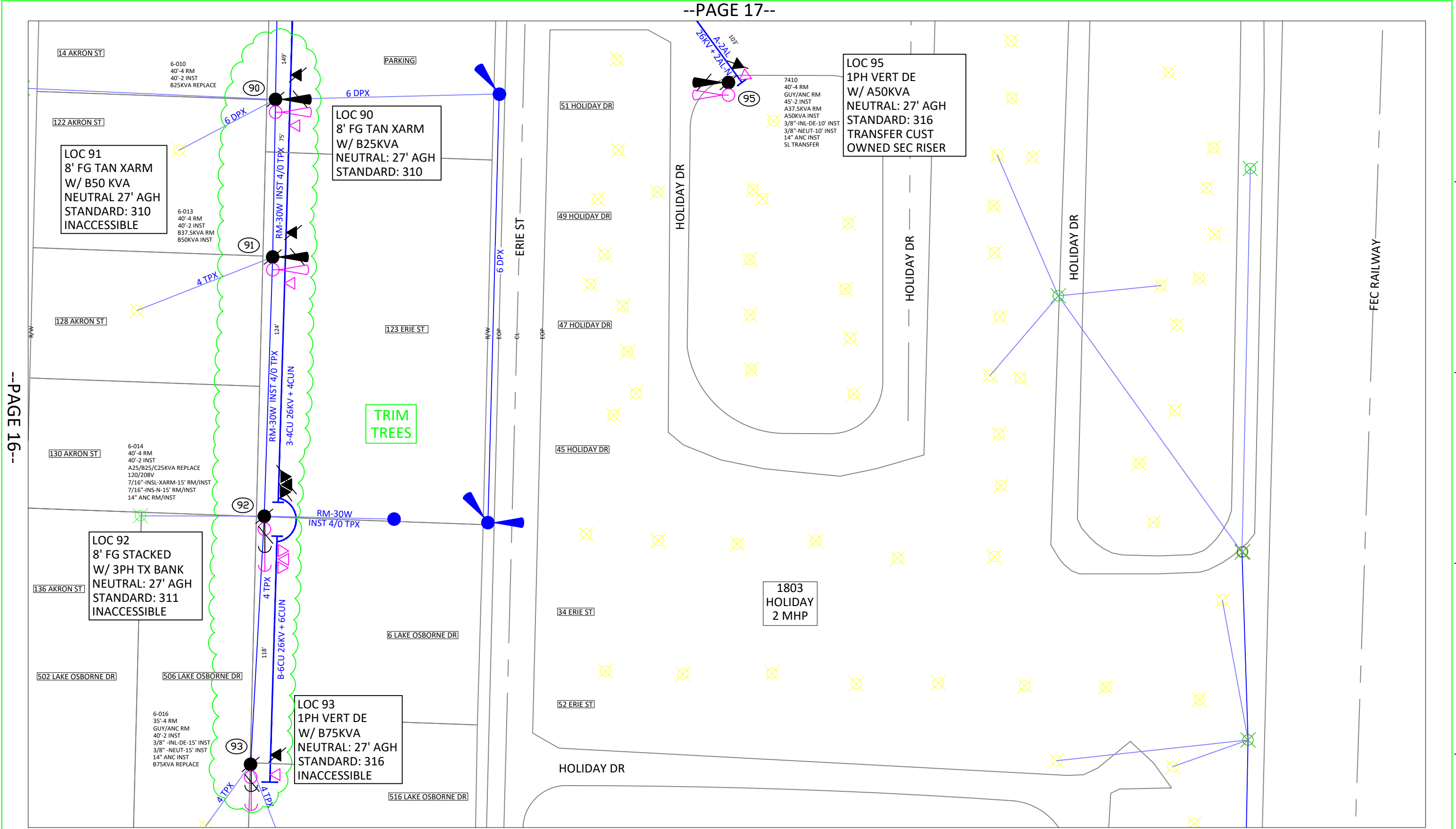


CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
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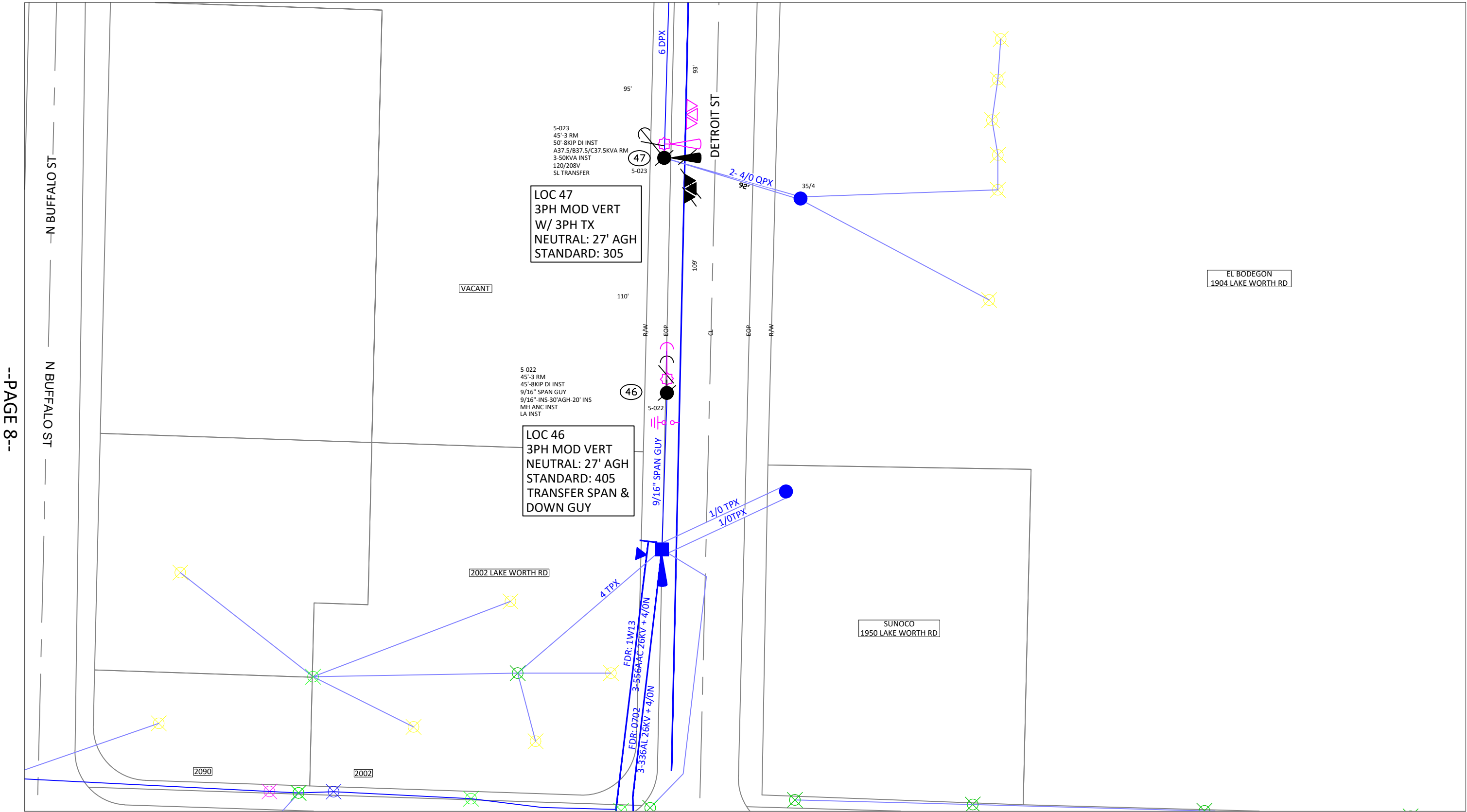


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1	90% Review Phase 2	5/29/2020	PEI	PEI	PEI		
1	90% Review Phase 1	5/15/2020	PEI	PEI	PEI	*	

DSGN	PEI
DRN	PEI
CKD	PEI
SCALE	1" = 20'
FOR 36x24 DWG ONLY	



CITY OF LAKE WORTH UTILITIES		JOB NUMBER	REV
0702 VOLTAGE CONVERSION		155789	2
PHASE 1 & 2		DRAWING NUMBER	
FEEDERS		18/22	
0702			



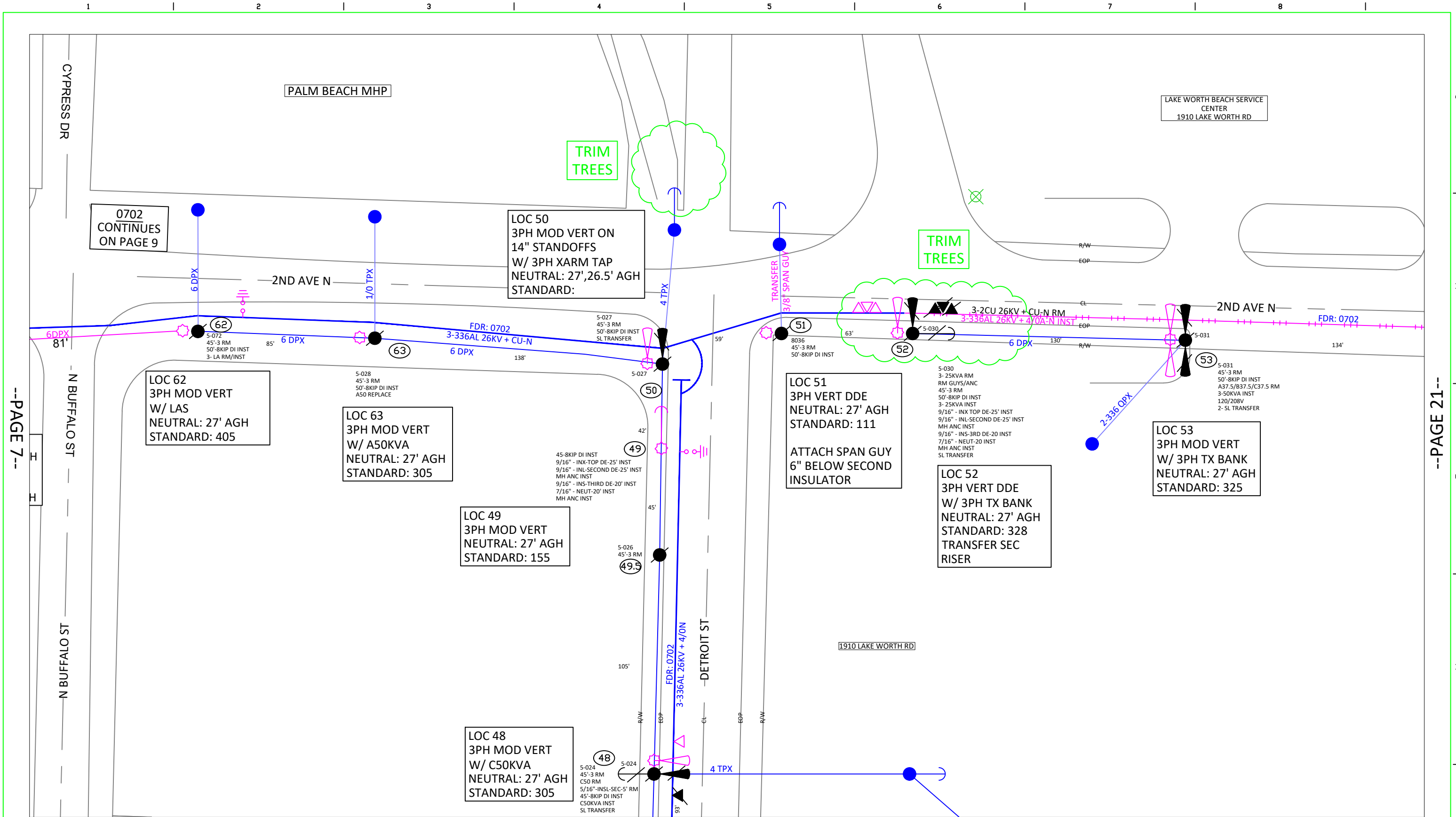
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD	REFERENCE DRAWINGS
2	Issued For Construction	10/16/2020	PEI	PEI	PEI		
1	90% Review Phase 2	5/29/2020	PEI	PEI	PEI		
1	90% Review Phase 1	5/15/2020	PEI	PEI	PEI	*	

DSGN	PEI
DRN	PEI
CKD	PEI
SCALE:	1" = 20'



CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
FEEDERS 0702

JOB NUMBER 155789	REV 2
DRAWING NUMBER 19/22	



--PAGE 19--

REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD	REFERENCE DRAWINGS
2	Issued For Construction	10/16/2020	PEI	PEI	PEI		
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1	90% Review Phase 1	5/15/2020	PEI	PEI	PEI	*	

DSGN	PEI
DRN	PEI
CKD	PEI
SCALE:	1" = 20'
FOR 36x24 DWG ONLY	



CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
FEEDERS 0702

JOB NUMBER 155789	REV 2
DRAWING NUMBER 20/22	

PUBLIC STORAGE
1814 LAKE WORTH RD

1808 FL-802
26.617139°, -80.069612°

VALERO
1808 LAKE WORTH RD

TRIM
TREES

LOC 97
1PH VERT DE W/
B50KVA
NEUTRAL: 27' AGH
STANDARD: 305

5-003
GUY/ANC RM
40'-4 RM
45'-2 INST
3/8-INS-DE-15' INST
3/8-NEUT-15' INST
MH ANC INST
B50KVA REPLACE
TRANSFER SL

FEC RAILWAY

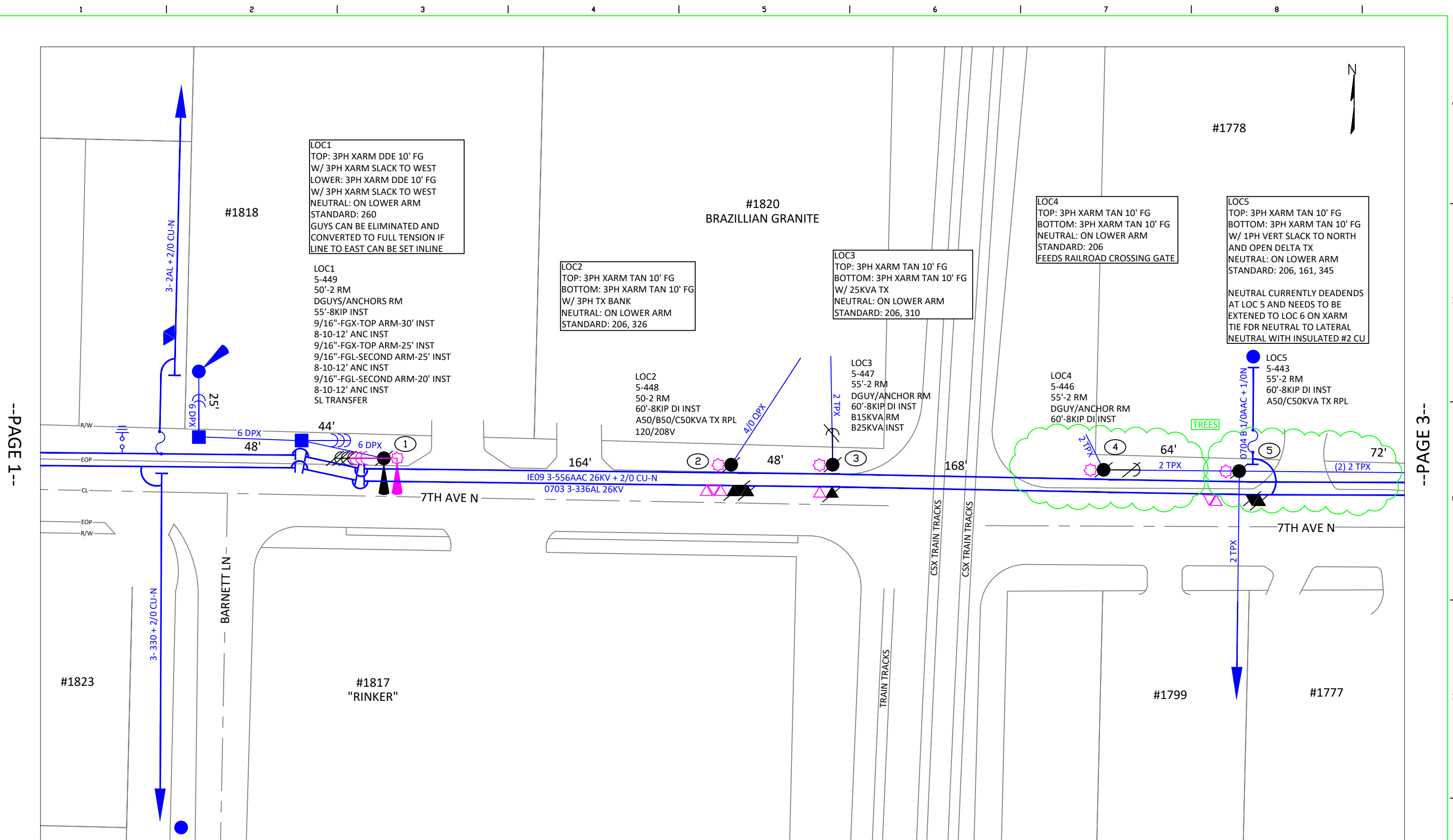
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD	REFERENCE DRAWINGS
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1	90% Review Phase 2	5/29/2020	PEI	PEI	PEI		
1	90% Review Phase 1	5/15/2020	PEI	PEI	PEI	*	

DSGN	PEI
DRN	PEI
CKD	PEI
SCALE	1" = 20'



CITY OF LAKE WORTH UTILITIES
0702 VOLTAGE CONVERSION PHASE 1 & 2
FEEDERS 0702

JOB NUMBER 155789	REV 2
DRAWING NUMBER 22/22	

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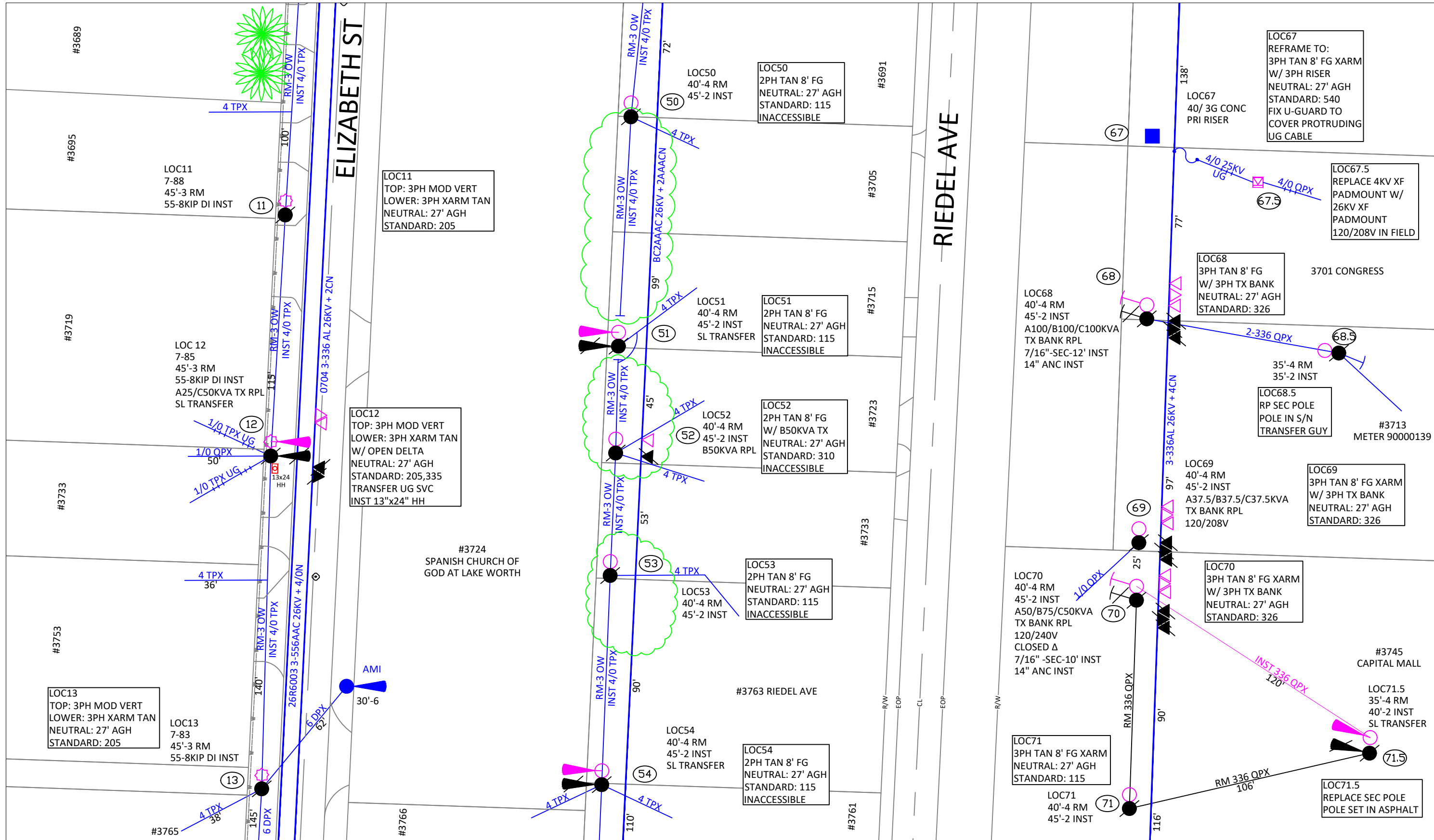


JOB NUMBER	REV
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DRAWING NUMBER	
3/3	



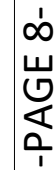


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										CKD	PEI					
2	Issued for Construction	10/16/2020	PEI	PEI	PEI					SCALE:	1" = 40'				DRAWING NUMBER	
1	90% Review	6/30/2020	PEI	PEI	PEI	*								PEI PEI 0704	3/15	
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD	REFERENCE DRAWINGS									

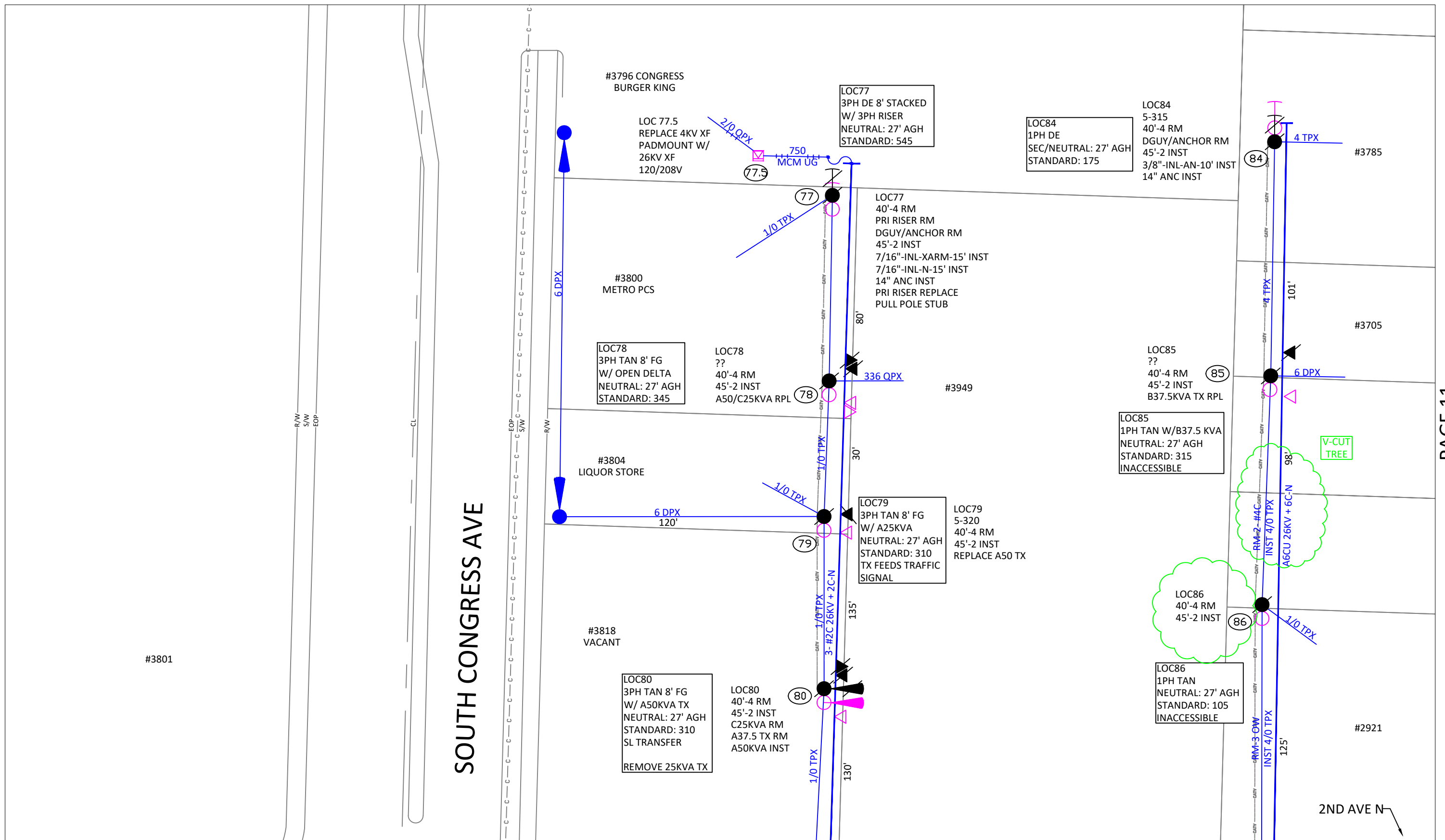


								DSGN	PEI	
								DRN	PEI	
								CKD	PEI	
								SCALE: 1" = 40'		
								FOR 36x24 DWG ONLY		
2	Issued for Construction	10/16/2020	PEI	PEI	PEI					
1	90% Review	6/30/2020	PEI	PEI	PEI	*				
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD	REFERENCE DRAWINGS			

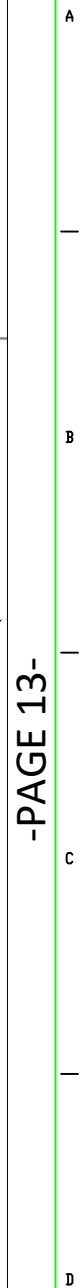
CITY OF LAKE WORTH UTILITIES		JOB NUMBER	REV
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PEI/PEI 0704		DRAWING NUMBER	
		4/15	

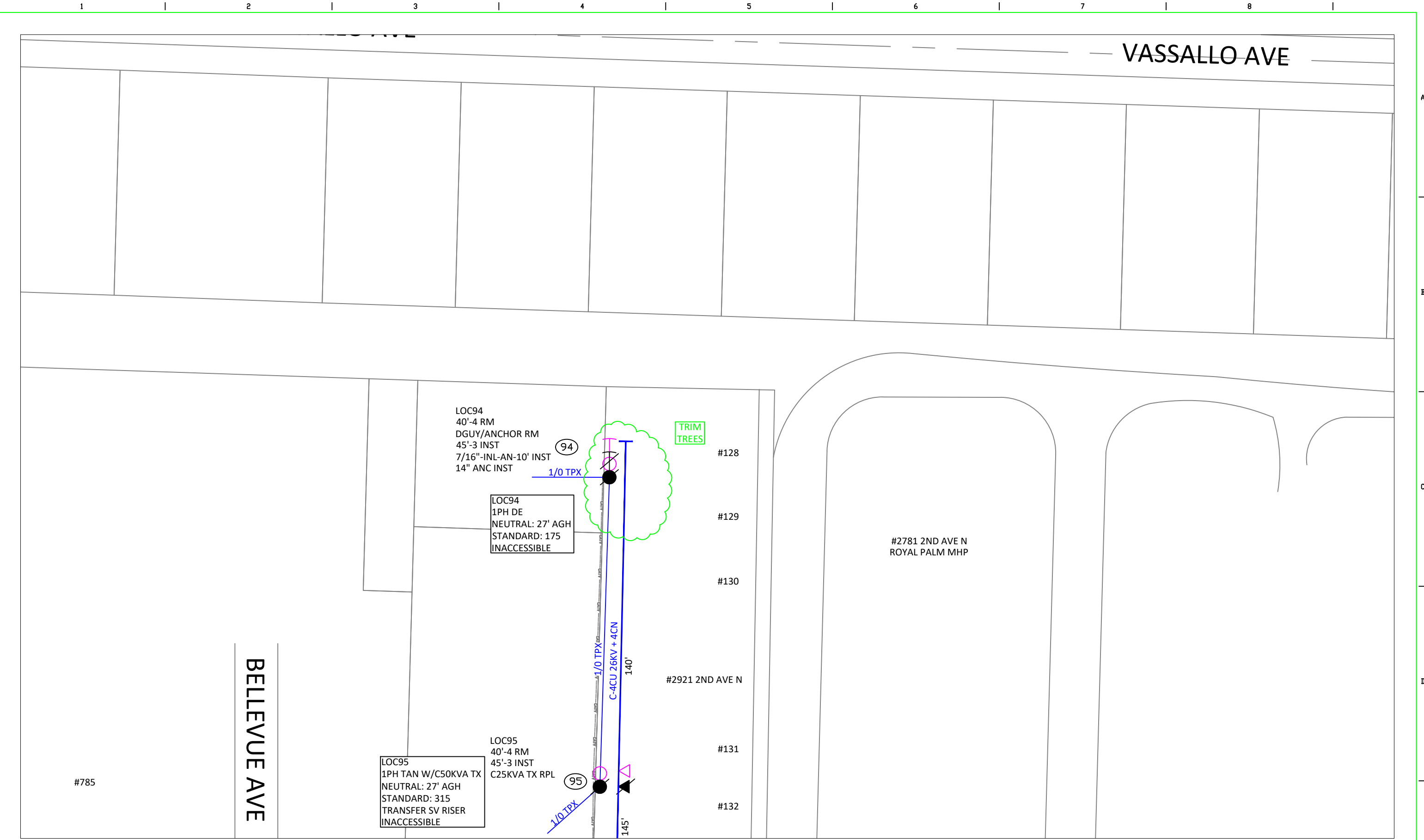


JOB NUMBER	REV
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DRAWING NUMBER	
6/15	

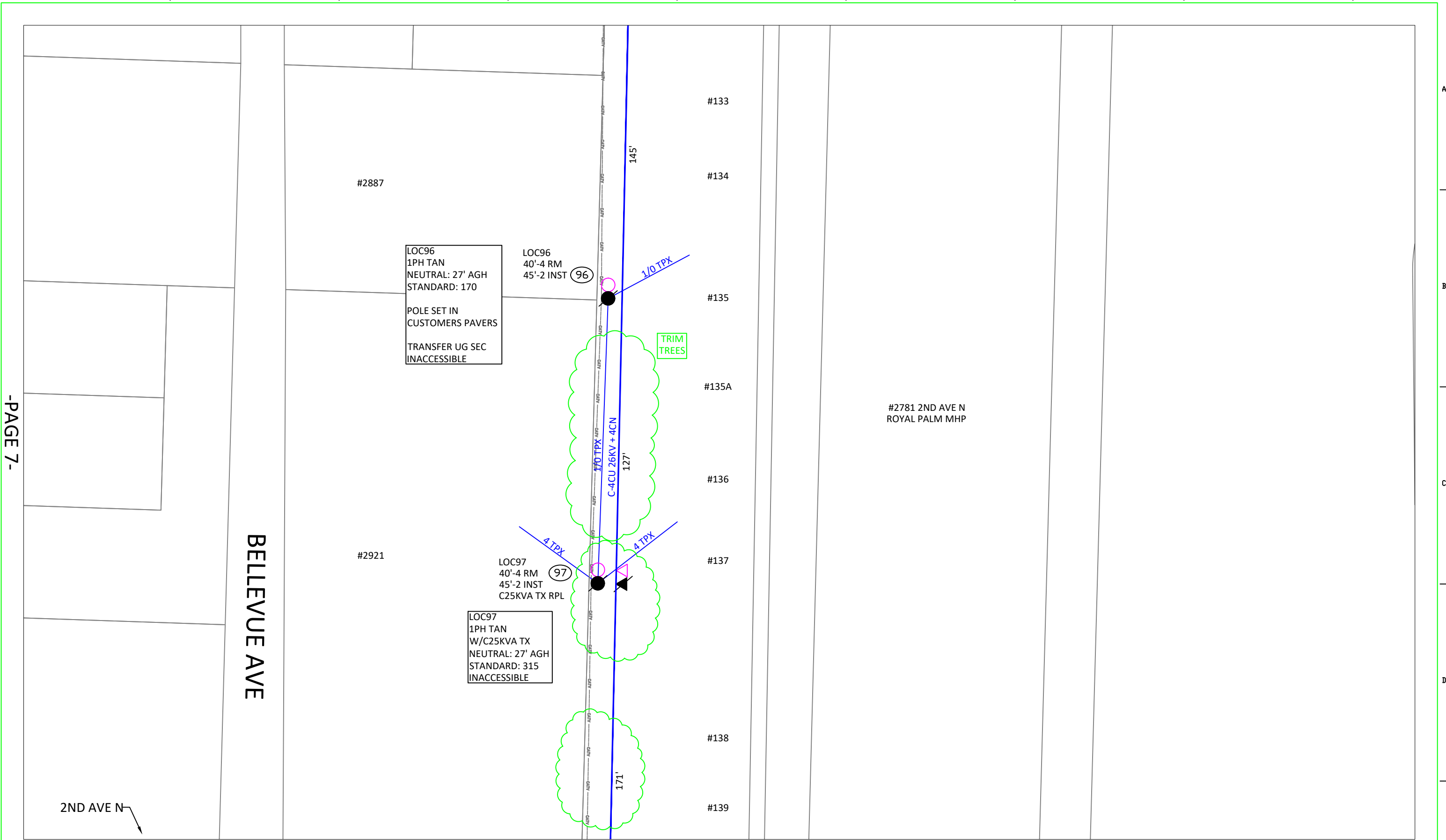


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										DRN	PEI			0704 VOLTAGE CONVERSION PHASE 1	DRAWING NUMBER 7/15	
										CKD	PEI					
2	Issued for Construction	10/16/2020	PEI	PEI	PEI					SCALE:	1' = 40'					
1	90% Review	6/30/2020	PEI	DSGN	PEI	*										
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD					FOR 36x24 DWG ONLY					

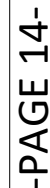




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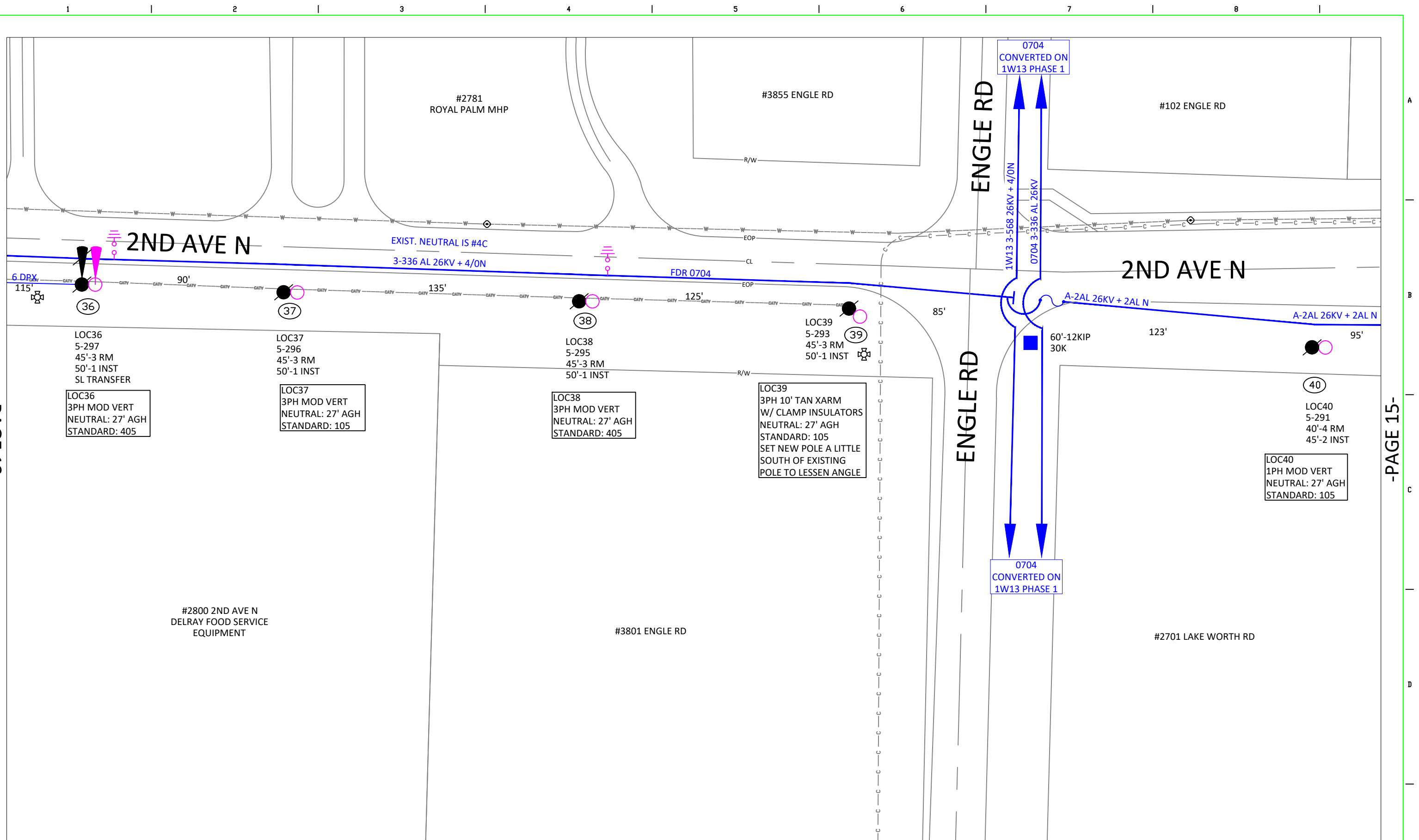


										DSGN	PEI			CITY OF LAKE WORTH UTILITIES	JOB NUMBER	REV	
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										CKD	PEI						
										SCALE: 1" = 40'							
2	Issued for Construction			10/16/2020	PEI	PEI	PEI										
1	90% Review			6/30/2020	PEI	PEI	PEI	*									
REV	REVISIONS			DATE	DRN	DSGN	CKD	APPD	REFERENCE DRAWINGS								
										FOR 36x24 DWG ONLY							





JOB NUMBER 155789	REV 
DRAWING NUMBER 13/15	

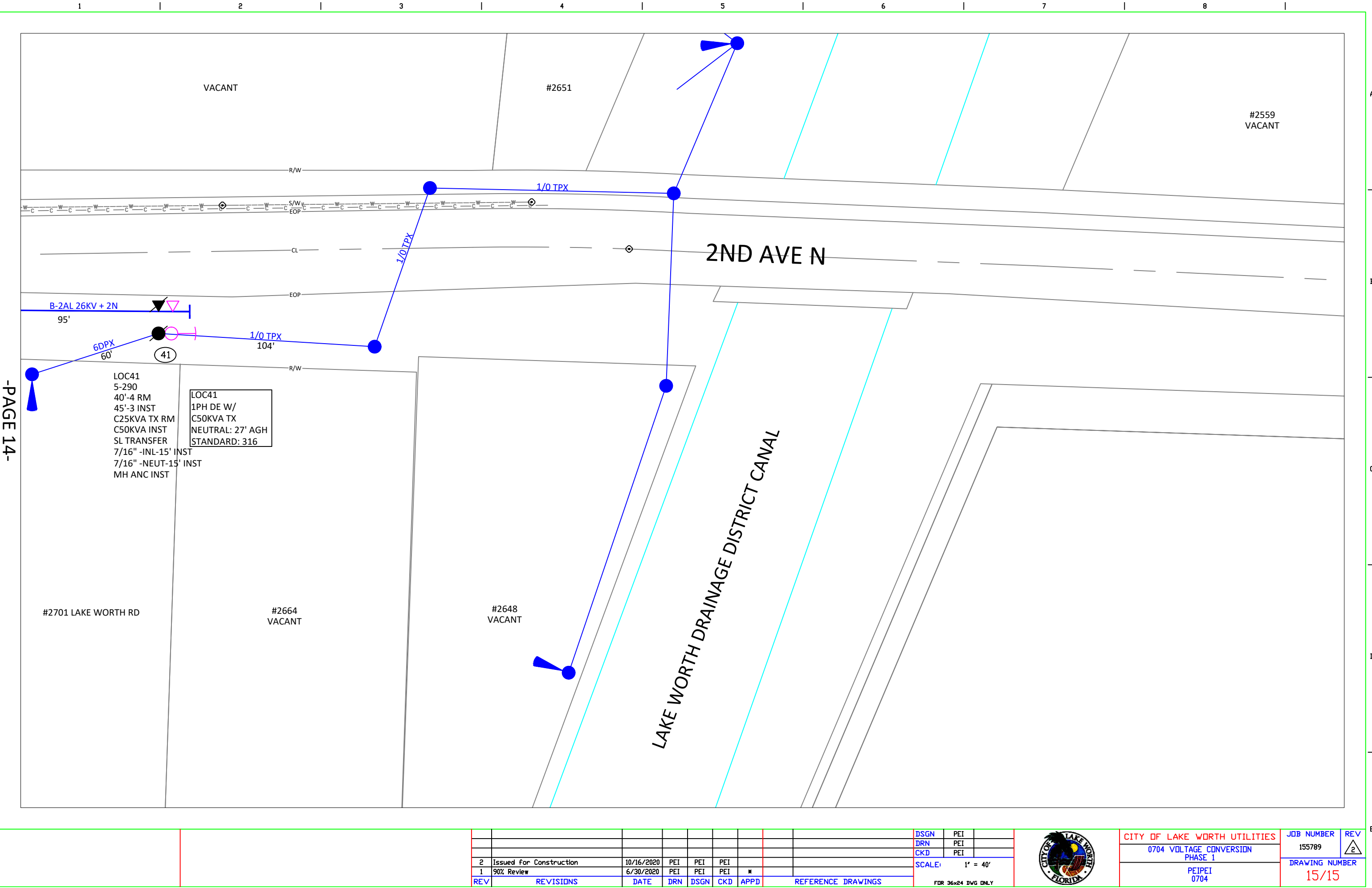


-PAGE 15-

								DSGN	PEI	
								DRN	PEI	
								CKD	PEI	
2	Issued for Construction	10/16/2020	PEI	PEI	PEI					
1	90% Review	6/30/2020	PEI	PEI	APPD	*				
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD		REFERENCE DRAWINGS	FOR 36x24 DWG ONLY	



CITY OF LAKE WORTH UTILITIES	JOB NUMBER	REV
0704 VOLTAGE CONVERSION PHASE 1	155789	
PEIPEI 0704	DRAWING NUMBER	
	14/15	



-PAGE 14-