

BID COVER PAGE



Procurement Division
200 E University Avenue, Rm 339
Gainesville, FL 32601
 (352) 334-5021(main)
 Issue Date: 1/27/2023

INVITATION TO BID: # PRCA-230029-WB

Tom Petty Park Improvements

PRE-BID MEETING: ☒ Non-Mandatory ☐ Mandatory ☐ N/A ☒ Includes Site Visit
DATE: February 7th, 2023 **TIME:** 9:00 AM
LOCATION: 400 NE 16th Ave., Gainesville, FL 32601

QUESTION SUBMITTAL DUE DATE: February 17th, 2023

DUE DATE FOR UPLOADING BID RESPONSE: February 28th, 2023, @ 3:00PM

Link to Bid Opening: <https://us06web.zoom.us/join/register/tZcsd--gpjMrGdDiCOiQBVNnpb1-IW7j6s5T>

SUMMARY OF SCOPE OF WORK: The goal of this project is to address softball field drainage issues, replace field turf, install shade sails and improve ADA access to the softball fields from the existing parking lot off of NE 16th Avenue.

For questions relating to this bid, contact: ByrneWM@cityofgainesville.org

Bidder is not in arrears to City upon any debt, fee, tax or contract: ☒ Bidder is NOT in arrears ☐ Bidder IS in arrears
 Bidder is not a defaulter, as surety or otherwise, upon any obligation to City: ☒ Bidder is NOT in default ☐ Bidder IS in default

Bidders who receive this bid from sources other than City of Gainesville Procurement Division or DemandStar MUST contact the Procurement Division prior to the due date to ensure any addenda are received in order to submit a responsible and responsive offer. Uploading an incomplete document may deem the offer non-responsive, causing rejection.

ADDENDA ACKNOWLEDGMENT: Prior to submitting my offer, I have verified that all addenda issued to date are considered as part of my offer: Addenda received (list all) # 01 - 02

Legal Name of Bidder: Blackwater Construction Services LLC

DBA: N/A

Authorized Representative Name/Title: Derek Dykes- President

E-mail Address: derek@blackwatercsllc.com FEIN: 82-2712584

Street Address: 3715 NW 97th Blvd Ste B Gainesville FL 32606

Mailing Address (if different): _____

Telephone: (352) 644-3453

Fax: (____) _____

By signing this form, I acknowledge I have read and understand, and my firm complies with the Standard Conditions of the Construction Contract and requirements set forth herein; and,

☒ Proposal is in full compliance with the Specifications.

☐ Proposal is in full compliance with the Specifications except as specifically stated and attached hereto.

SIGNATURE OF AUTHORIZED REPRESENTATIVE: _____

SIGNER'S PRINTED NAME: Derek Dykes

DATE: 2/28/2023

This page must be completed and uploaded to DemandStar.com with your Submittal.

ARTICLE 1 – BID RECIPIENT

1.1 This Bid is submitted electronically through “E-Bidding” on DemandStar.com to:

City of Gainesville

200 East University Avenue, Room 339 – Gainesville, Florida 32601

1.2 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 120 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.1 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
01	2/8/2023
02	2/15/2023

B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Instructions to Bidders, especially with respect to Technical Data in such reports and drawings

E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2)

the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Project Manager written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Project Manager acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.1 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Lump Sum Bid Price for Tom Petty Park Improvements	\$ 602,471 ⁰⁰
Bid Total:	\$ 602,471 ⁰⁰

Total number of calendar days to substantially complete the Work: 180 days.

Liquidated Damages Rate (from Agreement): \$ 500.00 /day.

Bonds required under Paragraph 6.01 of the General Conditions will be based on the Contract Price.

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete within 180 calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 210 calendar days after the date when the Contract Times commence to run.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.1 The following documents are submitted with and made a condition of this Bid:
- A. Bidder Qualifications Statement
 - B. Evidence of authority for individuals listed in Section 6 of the Qualifications Statement to bind organization to an agreement
 - C. General Contractor's License OR Building Contractor's License
 - D. Evidence of Bidder's authority to do business in the state where the Project is located
 - E. Copy of SunBiz Registration or SunBiz Document Number
 - F. Letter from Bonding Company; Evidence that Bidder can obtain a Payment and Performance Bond on the project if it is awarded the bid
 - G. Drug Free Workplace Form
 - H. Affidavit of Non-Collusion

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, and the General Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

Blackwater Construction Services LLC

By:

[Signature]

[Printed name]

Derek Dykes - President

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]

[Printed name]

Hannah Dykes - V.P.

Title:

President

Submittal Date:

2/28/2023

Address for giving notices:

3715 NW 97th Blvd Ste B

Gainesville FL 32606

Telephone Number:

352-644-3453

Fax Number:

n/a

Contact Name and e-mail address:

Derek Dykes- derek@blackwatercsllc.com

Bidder's License No.:

CGC1533394

(where applicable)

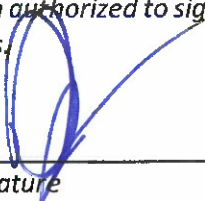
DRUG FREE WORKPLACE FORM

The undersigned vendor in accordance with Florida Statute 287.087 hereby certifies that

Blackwater Construction Services LLC does:
(Name of Business)

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

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



Bidder's Signature

2/28/2023

Date

CITY OF GAINESVILLE

AFFIDAVIT OF NON-COLLUSION

I hereby swear (or affirm) under the penalty of perjury:

(1) That I am the bidder (if the bidder is an individual), a partner of the bidder (if the bidder is a partnership), or an officer or employee of the bidding corporation with authority to sign on its behalf (if the bidder is a corporation);

(2) That the attached bid or bids have been arrived at by the bidder independently, and have been submitted without collusion with, and without any agreement, understanding, or planned common course of action with any other vendor of materials, supplies, equipment, or services described in the invitation to bid, designed to limit independent bidding or competition.

(3) That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids; and

(4) That I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: _____

Firm Name: Blackwater Construction Services LLC

Subscribed and sworn to before me this 28 day of February 2023

Casey
Notary Public

My Commission expires 4/1/2026, 2026.

Proposer's E.I. Number: 82-2712584

(Number used on Employer's Quarterly Federal tax return)



QUALIFICATIONS STATEMENT

1. SUBMITTED BY:

Official Name of Firm: Blackwater Construction Services LLC

Address: 3715 NW 97th Blvd Ste B Gainesville FL 32606

2. SUBMITTED TO:

City of Gainesville, Florida

3. SUBMITTED FOR:

Owner City of Gainesville, Florida

Project Name: Tom Petty Park Improvements

TYPE OF WORK: Softball Field Drainage, New Turf, ADA Access, and Shade Structures

4. CONTRACTOR'S CONTACT INFORMATION

Contact Person/Title: Derek Dykes - President

Phone/Email: 352-644-3453- derek@blackwatercsllc.com

5. AFFILIATED COMPANIES:

Name: _____

Address: _____

6. TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP

Name of Owner: _____

Doing Business As: _____

Date of Organization: _____

☐ PARTNERSHIP

Date of Organization: _____

Type of Partnership: _____

Name of General Partner(s): _____

☐ CORPORATION

State of Organization: _____

Date of Organization: _____

Executive Officers:

- President: _____

- Vice President(s): _____

- Treasurer: _____

- Secretary: _____

☒ LIMITED LIABILITY COMPANY

State of Organization: Florida

Date of Organization: 09/2017

Members: Derek Dykes, Hannah Dykes

☐ JOINT VENTURE

Sate of Organization: _____

Date of Organization: _____

Form of Organization: _____

Joint Venture Managing Partner

- Name: _____

- Address: _____

Joint Venture Managing Partner

- Name: _____

- Address: _____

Joint Venture Managing Partner

- Name: _____

- Address: _____

7. QUALIFIED SMALL BUSINESS AND/OR SERVICE DISABLED VETERAN BUSINESSSTATUS

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Small Business? ☐ YES ☒ NO

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Service-Disabled Veteran Business? ☐ YES ☒ NO

8. LOCAL PREFERENCE

Local Preference requested: ☒ YES ☐ NO

9. LICENSING / CERTIFICATIONS

In order to perform this work the bidder must have a General Contractor's License OR Building Contractor's License

10. RELEVANT EXPERIENCE

The bidder must demonstrate that they've **worked on three projects similar in both size and scope in the past 5 years**. Please use the space below to communicate such experience.

Project 1, Narrative description of project: ALAM Diborane Phase 1 Expansion

Explanation of relevance/similarity to the Tom Petty Park Improvements

Large Site work and clearing needed for the new gas storage buildings.

Three new building 10,000sf in total.

Final Contract Value: \$2.9 million Project Address: High Springs, FL

Construction Start (NTP Date): 01/2020 Construction Completion Date: 12/2020

Project Owner/Client Contact (Name/Number): Frank Smith- 409-939-3939

Project 2, Narrative description of project: Clarence R Kelly Park and Community Center

Explanation of relevance/similarity to the Tom Petty Park Improvements

New 5,500sf community center and new 2 acre community park with

new parking spots and site work grading.

Final Contract Value: \$2.02 million Project Address: Gainesville, FL

Construction Start (NTP Date): 04/2021 Construction Completion Date: 06/2022

Project Owner/Client Contact (Name/Number): Peter McNiece- 352-514-8992

Project 3, Narrative description of project: Haile Upper crust Bakery

Explanation of relevance/similarity to the Tom Petty Park Improvements

Site work, irrigation, and landscaping of a 15,000 sf lot and

construction of a new 2-story 4,000 sf shell building and bakery

Final Contract Value: \$850,000 Project Address: Gainesville FL

Construction Start (NTP Date): 04/2021 Construction Completion Date: 03/2022

Project Owner/Client Contact (Name/Number): Ben Guzick- 585-727-6941

11. BONDING INFORMATION

Bonding Company: Neilson Wojtowicz, Neu, and Associates

Address: 1000 Central Ave Suite 200

St Petersburg, FL 33705

Bonding Agent: Jessica Reno

Address:

Contact Name:

Phone: 904-314-9819

Aggregate Bonding Capacity: \$35 million

Available Bonding Capacity as of date of this submittal: \$5 million

12. CONSTRUCTION EXPERIENCE:

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Has any Corporate Officer, Partner, Joint Venture participant or Proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HEREWITH, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION: Blackwater Construction Services LLC

BY: Derek Dykes

TITLE: President

DATED: 2/28/2023

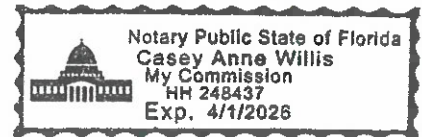
NOTARY ATTEST:

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 28 DAY OF February, 2023

NOTARY PUBLIC - STATE OF Florida

MY COMMISSION EXPIRES: 4/1/2026



ATTACHMENT CHECKLIST

- ☒ Evidence of authority for individuals listed in Section 6 to bind organization to an agreement
- ☒ General Contractor's License OR Building Contractor's License
- ☒ Evidence of Bidder's authority to do business in the state where the Project is located
- ☒ Copy of SunBiz Registration or SunBiz Document Number
- ☒ Letter from Bonding Company; Evidence that Bidder can obtain a Payment and Performance Bond on the project if it is awarded the bid
- ☒ Drug Free Workplace Form
- ☒ Affidavit of Non-Collusion

IF APPLICABLE

- ☐ Additional information on failure to complete a construction contract
- ☐ Additional information on any judgments, claims, disputes or litigation pending or outstanding
- ☐ Business Tax Receipt (if you are requesting Local Preference)



NIELSON, WOJTOWICZ, NEU & ASSOCIATES
A NIELSON HOOVER GROUP COMPANY



February 28, 2023

City of Gainesville FL
200 E "University Ave
Gainesville FL 32601

RE: Blackwater Construction Services, LLC
PRCA 230029 WB Tom Petty Park Improvement

To Whom It May Concern:

This is to advise you that our office provides bid, performance, and payment bonds for Blackwater Construction Services, LLC. The name of their surety is American Southern Insurance Company, which carries an A.M. Best Rating of A VII, and it is listed in the Department of Treasury's Federal Register at \$5,272,000.

Based upon normal and standard underwriting criteria at the time of the request, American Southern Insurance Company should be in a position to provide Blackwater Construction Services, LLC bonds for a single project in the amount of \$4,000,000.00 and an aggregate in excess of \$35,000,000. We reserve the right to review final contractual documents, bond forms, and obtain satisfactory evidence of funding prior to final commitment to issue bonds, and we cannot assume liability to any third party, including you, if we do not execute said bonds.

Blackwater Construction Services, LLC is an excellent contractor and we hold them in highest regard. We feel extremely confident in our contractor and encourage you to offer them an opportunity to execute any upcoming projects.

If you should have any questions, please do not hesitate to give me a call.

Sincerely,

Jessica Reno
License Agent and Surety Specialist

2023 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L17000188326

Entity Name: BLACKWATER CONSTRUCTION SERVICES, LLC

Current Principal Place of Business:

3715 NW 97TH BLVD
SUITE B
GAINESVILLE, FL 32606

FILED
Jan 19, 2023
Secretary of State
2237538530CC

Current Mailing Address:

3715 NW 97TH BLVD
SUITE B
GAINESVILLE, FL 32606 US

FEI Number: 82-2712584

Certificate of Status Desired: Yes

Name and Address of Current Registered Agent:

DYKES, DEREK
2307 SE 14TH STREET
OCALA, FL 34471 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

1/19/2023

Authorized Person(s) Detail :

Title PRESIDENT
Name DYKES, DEREK STEVEN
Address 2307 SE 14TH STREET
City-State-Zip: Ocala FL 34471

Title VP
Name DYKES, HANNAH RACHEL
Address 2307 SE 14TH STREET
City-State-Zip: Ocala FL 34471

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: DEREK DYKES

PRESIDENT

01/19/2023

Electronic Signature of Signing Authorized Person(s) Detail

Date



Ron DeSantis, Governor

Melanie S. Griffin, Secretary



STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

DYKES, DEREK STEVEN

BLACKWATER CONSTRUCTION SERVICES, LLC

3715 NW 97TH BLVD., STE. B
GAINESVILLE FL 32606

LICENSE NUMBER: CGC15333394

EXPIRATION DATE: AUGUST 31, 2024

Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.



State of Florida

Department of State

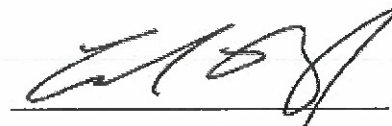
I certify from the records of this office that BLACKWATER CONSTRUCTION SERVICES, LLC is a limited liability company organized under the laws of the State of Florida, filed on September 5, 2017.

The document number of this limited liability company is L17000188326.

I further certify that said limited liability company has paid all fees due this office through December 31, 2023, that its most recent annual report was filed on January 19, 2023, and that its status is active.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Sixth day of February, 2023*




Secretary of State

Tracking Number: 7297872084CU

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

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

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Blackwater Construction Services, LLC
3715 NW 97th Blvd, Suite B
Gainesville, FL 32606

SURETY:

(Name, legal status and principal place of business)

American Southern Insurance Company
P.O. Box 723030
Atlanta, GA 31139

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

City of Gainesville
200 East University Ave
Gainesville, FL 32601

BOND AMOUNT: \$ 5%

Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)


PRCA-230029-WB Tom Petty Park Improvement, Softball Fields, Gainesville FL

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 28th day of February, 2023


(Witness)


(Witness) Eileen Heard

Blackwater Construction Services, LLC
(Principal)

By:  President
(Title)

American Southern Insurance Company
(Surety)

By: 
(Title) Kevin R. Wojtowicz Attorney-in-Fact
and Florida Licensed Resident Agent



AMERICAN SOUTHERN INSURANCE COMPANY

Domicile: 200 S.W. 30th Street
Topeka, Kansas 66611

Mailing Address: 3715 Northside Pkwy, NW, STE 4-800
Atlanta, Georgia 30327

GENERAL POWER OF ATTORNEY

Know all men by these Presents, that the American Southern Insurance Company had made, constituted and appointed, and by these presents does make, constitute and appoint Charles J. Nielson or David R. Hoover of Miami Lakes, Florida; Kevin R. Wojtowicz, Laura D. Mosholder, Brett Rosenhaus, or Jessica P. Reno of St. Petersburg, Florida, as its true and lawful attorney for it and its name, place and stead to execute on behalf of the said company, as surety, bonds, undertakings and contracts of suretyship to include execution of consents for the release of retained percentages and/or final estimates on engineering and construction contracts, or similar authority to be given to all obligees provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount of the sum of \$1,000,000 (One Million U.S. Dollars).

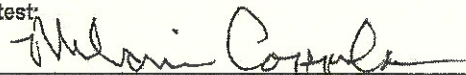
This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted pursuant to due authorization by the Executive Committee of the Board of Directors of the American Southern Insurance Company on the 26th day of May, 1998:

RESOLVED, that the Chairman, President or any Vice President of the Company be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the American Southern Insurance Company bonds, undertakings and all contracts of suretyship; and that any Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

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

In Witness Whereof, the American Southern Insurance Company has caused its official seal to be hereto affixed, and these presents to be signed by its President and attested by its Secretary this 7th day of April, 2017.

Attest:


Melonie A. Coppola, Corporate Secretary
STATE OF GEORGIA
COUNTY OF FULTON

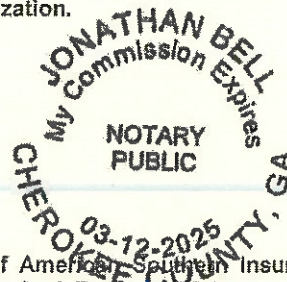
American Southern Insurance Company

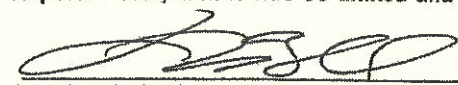
By:


Scott G. Thompson, President

On this 7th day of April, 2017, before me personally came Scott G. Thompson, to me known, who being by me duly sworn, did depose and say that he resides in Atlanta, in the County of Fulton, State of Georgia, at 421 Hollydale Court; that he is the President of American Southern Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed and that he signed his name thereto pursuant to due authorization.

STATE OF GEORGIA NOTARY SEAL:



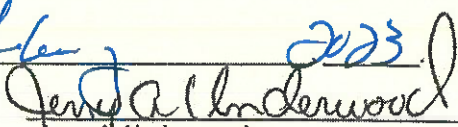

Jonathan Bell, Notary Public, State of Georgia
My Commission Expires March 12, 2025

I, the undersigned, a Vice President of American Southern Insurance Company, a corporation domiciled in Kansas, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and, furthermore, that the Resolution of the Executive Committee of the Board of Directors set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Atlanta, Date of the _____ day of _____, 2017.

POA NUMBER: 94563




Jerry A. Underwood
Vice President - Surety