

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20030270

1. REQUESTED MOTION:

ACTION REQUESTED: Award RFP-03-01 YARD WASTE (HORTICULTURE) PROCESSING AND RECYCLING FACILITY, to the proposer whose proposal was evaluated by the Evaluation Committee as being in the best interest of Lee County, D. J. Casey Enterprise, for a per ton cost of \$14.58 (paid on outgoing tonnage) to receive, process, remove from the County's site, and recycle, horticultural/ vegetative materials, for a contract period of three (3) years, with the option of two (2) additional 12 month term extensions.

WHY ACTION IS NECESSARY: Pursuant to Administrative Code AC-4-4 Lee County Contract Manual, approved by the Board on September 25, 2001, Committee recommendations and awards shall be approved by the Board.

WHAT ACTION ACCOMPLISHES: Provides a firm who will receive, neatly store, and process horticultural material after it crosses the County's truck scales at the Waste to Energy (WTE) Plant. The firm will grind, screen, load and haul away the same material to an acceptable location at its own expense in accordance with the Service Provider Agreement.

2. DEPARTMENTAL CATEGORY:

8 Solid Waste
COMMISSION DISTRICT #: CW

C8C

3. MEETING DATE:

04-01-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE AC-4-4
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Public Works
- C. DIVISION Solid Waste
- BY: Lindsey Sampson, Div. Director

Lindsey Sampson

7. BACKGROUND:

The Solid Waste Division submitted a request to Contracts Management to obtain proposal for YARD WASTE (HORTICULTURE) PROCESSING AND RECYCLING FACILITY.

The deadline for receipt of the proposal was February 13, 2003. A total of three (3) proposals were received by the established deadline. All proposals were considered at the Evaluation Committee meeting held on February 20, 2003. The Evaluation Committee consisted of the following staff members: Jim Lavender, Public Works Director, as Chairman, Lindsey Sampson, Solid Waste Director and Laura Gray, Project Manager.

Based on the proposal submittals it was the consensus of the Committee to recommend award to D.J. Casey Enterprises, for a contract period of three (3) years.

- Attachments:
1. Listing of Proposal Submitted
 2. Committee Overall Ranking Sheets
 3. Proposal Form from D.J. Casey Enterprises

The account string is OB5340840100.504340

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
					OA	OM	Risk	GC
<i>Javender</i> 3-18-03	<i>[Signature]</i> 3/17/03	N/A		<i>[Signature]</i> 3/18/03	<i>[Signature]</i> 3/18/03	<i>[Signature]</i> 3/19/03	<i>[Signature]</i> 3/19/03	<i>[Signature]</i> 3/19/03
								<i>Javender</i> 3.18.03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *3/18/03*
Time: *1:50 pm*
Forwarded To: *Budget*
3/18/03 3:47 pm

RECEIVED BY
COUNTY ADMIN. *PN*
3-18-03
1:45
COUNTY ADMIN.
FORWARDED TO:
3/19 500

LEE COUNTY PROPOSAL OPENING SHEET
FOR
YARD WASTE (HORTICULTURE) PROCESSING AND RECYCLING FACILITY

SOLICITATION NO.: RFP-03-01

DATE: February 13, 2003

PROPOSER	OFFICIAL PROPOSAL FORM	PRICING PROPOSAL FORM
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No Bid
TFR Enterprises

D.J. Casey Enterprises Dan Casey 2773 State Road 7 West Palm Beach, FL 33414 (651) 784-8426 Fax: (561) 784-8407	Official Check \$2,500.00 Proposal signed & submitted Required copies	OK
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Waste Management, Inc. of Florida John Wong 11990 State Road 82 Fort Myers, FL 33913 455-8062	Security \$2,500.00 Proposal signed & submitted Required copies	OK
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Consolidated Resource Recovery Edward Lee 6728 33 rd Street East Sarasota, FL 34243 (941) 756-0977 Fax: (941) 751-6942	Cashier Check \$2,500.00 Proposal signed & submitted Required copies	OK
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MAR 13 2003

LEE COUNTY BID TABULATION SHEET
FOR
YARD WASTE (HORTICULTURE)
PROCESSING & RECYCLING FACILITY

SOLICITATION NO.: RFQ-03-01

DATE: February 28, 2003

PROPOSER	PERFORMANCE BOND	\$ PER TON AMOUNT
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Consolidated Resource Recovery
Edward Lee
6728 33rd Street East
Sarasota, FL 34243
(941) 756-0977
FAX: (941) 751-6942

Cashier Check= \$2,500.00
(In Qualification Portion)

\$25.83/ton

D. J. Casey Enterprises
Dan Casey
2773 State Road 7
West Palm Beach, FL 33414
(561) 784-8426
FAX: (561) 784-8407

Official Check= \$2,500.00
(In Qualification Portion)

\$14.58/ton

Waste Management, Inc. of Florida
John Wong
11990 State Road 82

Fort Myers, FL 33913
455-8062

Proposal Security = \$2,500.00
(In Qualification Portion)

\$24.68/ton

**PASS/FAIL SHEET
FOR
RFP-03-01 YARD WASTE (HORTICULTURE)
PROCESSING & RECYCLING FACILITY**

DATE: 2/19/03

PROPOSER: D. J. CASEY ENTERPRISES

Qualification Requirements

To qualify for consideration for selection as a qualified Proposer, a Proposer must substantially meet minimum qualifications. The minimum qualifications are outlined in the following sections:

Submitted a description of firm, including locations of offices, person responsible for contracting services, and location where the contract authority resides.

✓ PASS FAIL

Submitted experience of firm or individual relating to horticultural reduction and recycling services both locally and out of state. Included the name of a responsible individual, address and current phone number of at least five (5) client references.

✓ PASS FAIL

Submitted name and resume of proposed management members who will supervise this operation, including an organization chart showing the working relational of the management structure.

✓ PASS FAIL

Submitted an outline of the firm's understanding of and approach to meeting the project goals and requirements. Stated who will be the end users of the recycled material and how it will be guaranteed as a legal end use.

✓ PASS FAIL

Provided an explanation of why the firm or individual is well suited to perform this service.

✓ PASS FAIL

Provided a tentative work schedule displaying how total staff and employees would be used to provide and operate this service.

Included a complete list of the tasks that firm is proposing to accomplish. Stated how firm will keep the public and their employees safe during operations and also included Workmen Compensation Insurance Rate/Modifier for employees that will be used on this project. Also stated the tasks firm would propose the County do.

✓ PASS FAIL

Site Maint. ?

Stated the minimum terms that you require.
The County anticipates a three (3) year term with option to renew on an annual basis twice.

✓ PASS FAIL

Listed any Sub-Contractors that you would propose to use for any of the reduction and recycling processes.

✓ PASS FAIL

Showed proof (in the form of a letter from the bonding agency) of the ability to obtain a performance bond of a minimum amount of \$200,000.

Included bonding, name, contact, address, telephone number and bonding capability. A clean Irrevocable Letter of Credit may be accepted in lieu of a Performance Bond.

✓ PASS FAIL

Provided a Certificate of Insurance evidencing the stated insurance coverages/limits and guidelines.

✓ PASS FAIL

Workers' Compensation and Employers Liability

Coverage to apply to all employees at statutory limits in compliance with the applicable State and Federal laws.

In addition, the policy must include the following:

- a. Employers Liability with a minimum limit per accident of \$1,000,000.

Commercial General Liability

Coverage must include the following:

- a. Minimum limits of \$2,000,000 per occurrence and \$5,000,000 aggregate.
- b. Contractual Liability coverage applicable to this specific Agreement including any hold harmless and/or indemnification agreement.
- c. Products and Completed Operations coverage applicable to the service being provided under this agreement.

Commercial Automobile Liability

Coverage must include the following:

- a. Minimum combined single limits of \$5,000,000 for Bodily Injury and Property Damage.
- b. Coverage shall include owned vehicles, hired and leased, or non-owned vehicles.

Provided proof to show the capability to provide all the necessary equipment and material to perform the services required under this contract.

✓ PASS

FAIL

SIGNED:

Lindsay J. Sampson

**PASS/FAIL SHEET
FOR
RFP-03-01 YARD WASTE (HORTICULTURE)
PROCESSING & RECYCLING FACILITY**

DATE: 2/19/03.

PROPOSER: WMI

Qualification Requirements

To qualify for consideration for selection as a qualified Proposer, a Proposer must substantially meet minimum qualifications. The minimum qualifications are outlined in the following sections:

Submitted a description of firm, including locations of offices, person responsible for contracting services, and location where the contract authority resides.

✓ PASS FAIL

Submitted experience of firm or individual relating to horticultural reduction and recycling services both locally and out of state. Included the name of a responsible individual, address and current phone number of at least five (5) client references.

✓ PASS FAIL

Submitted name and resume of proposed management members who will supervise this operation, including an organization chart showing the working relational of the management structure.

✓ PASS FAIL

Submitted an outline of the firm's understanding of and approach to meeting the project goals and requirements. Stated who will be the end users of the recycled material and how it will be guaranteed as a legal end use.

✓ PASS FAIL

Provided an explanation of why the firm or individual is well suited to perform this service.

✓ PASS FAIL

Provided a tentative work schedule displaying how total staff and employees would be used to provide and operate this service.

Included a complete list of the tasks that firm is proposing to accomplish. Stated how firm will keep the public and their employees safe during operations and also included Workmen Compensation Insurance Rate/Modifier for employees that will be used on this project. Also stated the tasks firm would propose the County do.

✓ PASS FAIL

Stated the minimum terms that you require.
The County anticipates a three (3) year term with option to renew on an annual basis twice.

✓PASS FAIL

Listed any Sub-Contractors that you would propose to use for any of the reduction and recycling processes.

✓PASS FAIL

Showed proof (in the form of a letter from the bonding agency) of the ability to obtain a performance bond of a minimum amount of \$200,000.

Included bonding, name, contact, address, telephone number and bonding capability. A clean Irrevocable Letter of Credit may be accepted in lieu of a Performance Bond.

✓PASS FAIL

Provided a Certificate of Insurance evidencing the stated insurance coverages/limits and guidelines.

✓PASS FAIL

Workers' Compensation and Employers Liability

Coverage to apply to all employees at statutory limits in compliance with the applicable State and Federal laws. In addition, the policy must include the following:

- a. Employers Liability with a minimum limit per accident of \$1,000,000.

Commercial General Liability

Coverage must include the following:

- a. Minimum limits of \$2,000,000 per occurrence and \$5,000,000 aggregate.

- b. Contractual Liability coverage applicable to this specific Agreement including any hold harmless and/or indemnification agreement.

- c. Products and Completed Operations coverage applicable to the service being provided under this agreement.

Commercial Automobile Liability

Coverage must include the following:

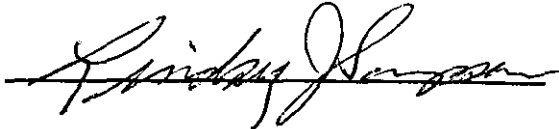
- a. Minimum combined single limits of \$5,000,000 for Bodily Injury and Property Damage.
- b. Coverage shall include owned vehicles, hired and leased, or non-owned vehicles.

Provided proof to show the capability to provide all the necessary equipment and material to perform the services required under this contract.

✓ PASS

FAIL

SIGNED:



**PASS/FAIL SHEET
FOR
RFP-03-01 YARD WASTE (HORTICULTURE)
PROCESSING & RECYCLING FACILITY**

DATE: 2/19/03

PROPOSER: CRB - Consolidated Resource Recovery Inc.

Qualification Requirements

To qualify for consideration for selection as a qualified Proposer, a Proposer must substantially meet minimum qualifications. The minimum qualifications are outlined in the following sections:

Submitted a description of firm, including locations of offices, person responsible for contracting services, and location where the contract authority resides.

✓ PASS FAIL

Submitted experience of firm or individual relating to horticultural reduction and recycling services both locally and out of state. Included the name of a responsible individual, address and current phone number of at least five (5) client references.

✓ PASS FAIL

Submitted name and resume of proposed management members who will supervise this operation, including an organization chart showing the working relational of the management structure.

✓ PASS FAIL

Submitted an outline of the firm's understanding of and approach to meeting the project goals and requirements. Stated who will be the end users of the recycled material and how it will be guaranteed as a legal end use.

✓ PASS FAIL

Provided an explanation of why the firm or individual is well suited to perform this service.

✓ PASS FAIL

Provided a tentative work schedule displaying how total staff and employees would be used to provide and operate this service.

Included a complete list of the tasks that firm is proposing to accomplish. Stated how firm will keep the public and their employees safe during operations and also included Workmen Compensation Insurance Rate/Modifier for employees that will be used on this project. Also stated the tasks firm would propose the County do.

✓ PASS FAIL

Stated the minimum terms that you require.
The County anticipates a three (3) year term with option to renew on an annual basis twice.

✓ PASS FAIL

Listed any Sub-Contractors that you would propose to use for any of the reduction and recycling processes.

✓ PASS FAIL

Showed proof (in the form of a letter from the bonding agency) of the ability to obtain a performance bond of a minimum amount of \$200,000.

(NOT NAMED, ANTICIPATES TRUCKING ONLY)

Included bonding, name, contact, address, telephone number and bonding capability. A clean Irrevocable Letter of Credit may be accepted in lieu of a Performance Bond.

✓ PASS FAIL

Provided a Certificate of Insurance evidencing the stated insurance coverages/limits and guidelines.

✓ PASS FAIL

Workers' Compensation and Employers Liability

Coverage to apply to all employees at statutory limits in compliance with the applicable State and Federal laws. In addition, the policy must include the following:

- a. Employers Liability with a minimum limit per accident of \$1,000,000.

Commercial General Liability

Coverage must include the following:

- a. Minimum limits of \$2,000,000 per occurrence and \$5,000,000 aggregate.
- b. Contractual Liability coverage applicable to this specific Agreement including any hold harmless and/or indemnification agreement.
- c. Products and Completed Operations coverage applicable to the service being provided under this agreement.

Commercial Automobile Liability

Coverage must include the following:

- a. Minimum combined single limits of \$5,000,000 for Bodily Injury and Property Damage.
- b. Coverage shall include owned vehicles, hired and leased, or non-owned vehicles.

Provided proof to show the capability to provide all the necessary equipment and material to perform the services required under this contract.

✓ PASS FAIL

~~5,000,000 plus~~
~~10,000,000 Umbrella~~

SIGNED: *Lindsay J. Simpson*

Lace Construction Incorporated d/b/a
D. J. CASEY ENTERPRISES
2773 State Road 7, West Palm Beach, FL 33414

Office (561) 784-8426

Fax (561) 784-8407

HORTICULTURE MANAGEMENT BY D. J. CASEY ENTERPRISES

LEE COUNTY, FLORIDA

OFFICIAL PROPOSAL PACKAGE

YARD WASTE (HORTICULTURE) PROCESSING AND RECYCLING FACILITY

FT. MYERS, FLORIDA

ENVELOPE 2

February 13, 2003

REDUCTION AND RECYCLE SPECIALISTS

SOLICITATION NO.: RFP-03-01

OFFICIAL PROPOSAL FORM

FOR

YARD WASTE (HORTICULTURE) PROCESSING

AND RECYCLING FACILITY

Proposals are to be submitted by
11:30 A.M. FEBRUARY 13, 2002

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS
LEE COUNTY CONTRACTS MANAGEMENT
COMMUNITY DEVELOPMENT/PUBLIC WORKS CENTER
1500 MONROE STREET, 4TH FL, FORT MYERS, FL 33901**

or mail to:

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS
LEE COUNTY CONTRACTS MANAGEMENT
Post Office Box 398
Fort Myers, FL 33902-0398**

PROPOSAL OPENING:

**LEE COUNTY CONTRACTS MANAGEMENT
COMMUNITY DEVELOPMENT/PUBLIC WORKS CENTER
1500 MONROE STREET, 4TH FL, FORT MYERS, FL 33901**

**FEBRUARY 13, 2003
11:30 A.M.**

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA**

Lace Construction, Inc d/b/a
PROPOSER: *D.J. Casey Enterprises*
Individual or Firm Name

SOLICITATION NO.: RFP-03-01

OFFICIAL PROPOSAL FORM

DATE: 02/13/03

TIME: 11:30 A.M.

**Lee County Contracts Management
Board of County Commissioners
P O Box 398
Ft Myers, Florida 33902-0398**

Gentlemen:

1. The Undersigned, hereinafter called "PROPOSER", having become familiar with the local conditions, nature and extent of the work, and having examined carefully the Request for Proposal and having fulfilled their requirements, proposes to furnish all services for the proper execution and completion of the:

**YARD WASTE (HORTICULTURE) PROCESSING
AND RECYCLING FACILITY**

full accordance with the proposal documents and all other documents related thereto on file with Contracts Management, and if awarded the agreement, to complete the said work within the time limits specified.

If awarded the contract, the Proposer agrees to execute the Agreement and complete the said work within the time limits.

2. The above proposal shall remain in full force and effect for a period of 120 calendar days after the time of the opening of this proposal and it shall not be revoked, withdrawn or canceled within that time frame. Once the proposer has been notified that his/her proposal has been awarded by the Board of County Commissioners, within the above time frame as submitted shall constitute the contract cost which shall be executed within the time frames established.

3. Acknowledgment is hereby made of receipt of the following Addenda issued during the proposal period:

**Addendum No. 1 Dated 2/4/03 Addendum No. 3 Dated 2/6/03
Addendum No. 2 Dated _____ Addendum No. _____ Dated _____**

4. Neither the undersigned nor any other person, firm or corporation named herein, nor anyone else to the knowledge of the undersigned, have themselves solicited or employed anyone else to solicit favorable action for this proposal by the COUNTY, also that no head of any department or employee therein, or in any officer of Lee county, Florida is directly interested therein.

This proposal is genuine and not collusive or a sham; the person, firm or corporation named herein has not colluded, conspired, connived or agreed directly or indirectly with any proposer or person, firm or corporation, to put in a sham proposal, or that such other person, firm or corporation, shall refrain from proposing, and has not in any manner directly or indirectly, sought by agreement or collusion, or communication or conference with any person, firm or corporation, to fix the unit prices of said proposal or proposals of any other proposer, or to secure any advantage against the COUNTY or any person, firm or corporation interested in the proposed contract; all statements contained in the proposal or proposals described above are true; and further, neither the undersigned, nor the person, firm or corporation named herein, has directly or indirectly submitted said proposal or the contents thereto, to any association or to any member or agent thereof.

In witness whereof, the PROPOSER has hereunto set his signature and affixed his seal this 12th day of February, A.D., 2003.

ATTEST: [Signature] (Seal)

By: Printed DAN CASEY, Sr

By: Signature [Signature]

TITLE: President

D. J. Casey Enterprises
Company Name

2773 State Road 7
Mailing Address

West Palm Beach, FL 33414
City, State, and Zip

Dan Casey
Contact Person

(561) 784-8426
Phone Number

(561) 784-8407
Fax Number

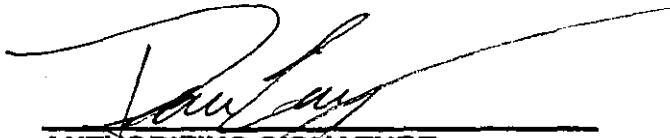
LEE COUNTY PRICING TEMPLATE
FOR
YARD WASTE (HORTICULTURE) PROCESSING
AND RECYCLING FACILITY

COST TO RECEIVE, PROCESS, REMOVE FROM THE COUNTY'S SITE, AND
RECYCLE HORTICULTURAL/VEGETATIVE MATERIALS:

\$ 14.58 /PER TON *

*PAYMENT BY THE COUNTY WILL BE BASED ON MATERIAL (AFTER PROCESSING)
MEASURED BY WEIGHT (TON'S) AND LEAVING THE COUNTY'S FACILITY SITE.

*PRICE SUBJECT TO ANNUAL CPI ADJUSTMENTS PER STANDARD
SERVICE PROVIDER AGREEMENT*



AUTHORIZING SIGNATURE
President

TITLE
2/12/03

DATE

Lace Construction Incorporated d/b/a
D. J. CASEY ENTERPRISES
2773 State Road 7, West Palm Beach, FL 33414

Office (561) 784-8426

Fax (561) 784-8407

Detailed Rate Proposal

In addition to providing an option to recycle 100% of the horticulture waste brought into Lee County's Yard Waste (Horticulture) Processing and Recycling Facility, D. J. Casey Enterprises envisions future opportunities to combine its recycling efforts to include other waste streams such as sludge wastes and other wastes including food, fruit, and vegetables. Currently, disposal of these waste streams cause concern. However, when handled properly and mixed with horticulture wastes, these biosolid waste materials actually compliment one another thereby creating a "super compost".

For the purposes of this Proposal, D. J. Casey Enterprises offers the following two scenarios for continuing the County's horticulture operations ...

BASIC PROPOSAL -

D. J. Casey Enterprises proposes to operate the County's facility in the manner prescribed in the Request for Proposal. As a side note, we noted that the County's proposal is very similar to the City's Horticulture Reduction & Recycling Facility at 2451 Arcadia Street - which we are currently managing and which will be closed once the County's facility is opened.

Specifically, our understanding of the County's proposal is for the "Provider" to receive all incoming yard waste (horticulture) materials at the County's WTE Facility on Buckingham. The Provider will inspect (reject), stockpile, sort (debag/dispose), grind, screen, load, haul, recycle and/or sell to an end user. This scenario provides for a flat rate for the services being provided. The proposed flat rate under this proposal is **\$14.58*** per ton based on outgoing (processed) materials.

This price includes a performance bond in the amount of \$200,000.

** = Rate subject to annual CPI adjustments per standard Service Provider*

RECYCLING OTHER WASTE ITEMS (i.e. Biosolids) -

When it comes to solid waste, Lee County is ahead of their time as compared to other counties in the State of Florida and other states in the Nation. However, when it comes to recycling, Lee County, the State of Florida, and the Nation as a whole are not keeping up with most of the civilized World. There are some very easy and basic ways to recycle several waste types.

Based on our operating experience, and our research and development, we believe that further recycling is a natural fit for combining biosolids with horticulture wastes to produce superior compost mixes. We are very interested in pioneering Lee County's biosolid recycling program - to do just that, recycle sludge and food wastes along with horticulture wastes - similar to those already being utilized in other counties in Florida; not to mention other parts of the World.

We at D. J. Casey Enterprises have been working with the University of Florida's Cooperative Extension Service researching the use of composts for citrus and other farming operations in addition to landscape and development uses. What we have found is that there is a need for good quality compost to enhance plant growth and product yield. We recommend that the County work with us to find ways of recycling these and other types of wastes.

Also, the County has many departments that need clean material for landscaping, repairing wash-out areas, installing berms, site grading, park and common area enhancement/maintenance; all end-uses for the recycled compost products. We would propose to work with these departments to identify how our products could benefit them while saving money and natural resources.

Lace Construction Incorporated d/b/a
D. J. CASEY ENTERPRISES
2773 State Road 7, West Palm Beach, FL 33414

Office (561) 784-8426

Fax (561) 784-8407

Detailed Rate Proposal, con't.

Of course, another option would be for D. J. Casey Enterprises to help the county set up its own compost facility ... perhaps on the City's property known as "Section 30". Here the County could negotiate with the City to lease the property (site of old landfill) and begin recycling its own wastes over time. D. J. Casey Enterprises could consult and market the products being produced.

As you can see there are many possibilities for recycling wastes. We would like to be of service to the county and look forward to a long and lasting relationship.

Operating Hours

As previously stated, D. J. Casey Enterprises would staff the facility at all times during the operating hours of the facility with a front-end loader operator and any labor necessary to stockpile and/or pick bags at all times.

Any operating hours necessary due to being "on-call" would also be staffed with consideration given for reasonable notice (i.e. 12 hours).

During times of emergency, the Company will assist the City in around-the-clock operations as necessary to meet the needs of the residents.

PROPOSAL SECURITY AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we

Lace Construction, Inc d/b/a
D.J. Casey Enterprises as Principal, and
(BIDDER'S Name)

CASH * a Corporation licensed to do
(Surety's Name)

business under the laws of the State of Florida as a Surety, are held and firmly bound unto
LEE COUNTY BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA, a
Political Subdivision of the State of Florida,
in the SUM OF Twenty-Five Hundred Dollars (\$2,500.00) *

for the payment whereof, well and truly to be made, we bind ourselves, our heirs,
successors, personal representatives and assigns, jointly and severally, firmly, by these
presents.

SIGNED AND SEALED this 12th day of February 2003

WHEREAS, said Principal is herewith submitting a Proposal for: RFP-03-01 Yard Waste
(Horticulture) Processing & Recycling Facility

NOW, THEREFORE, the condition of the above obligation is such that if said Principal
shall be awarded the Contract upon said Proposal within the specified time and shall enter
into a written Contract, satisfactory in form, provide an acceptable Performance Bond from
a Surety acceptable to the COUNTY and provide other Insurance as may be required to
the COUNTY within seven (7) calendar days after the written Notice of Award date, or
within such extended period as the COUNTY may grant, then this obligation shall be null
and void; otherwise said Principal and Surety shall pay to said COUNTY in money the
difference between the amount of the Proposal of said Principal and the amount for which
said COUNTY may legally contract with another party to perform said work, if the latter
amount be in excess of the former, together with any expenses and reasonable attorney's
fees incurred by said COUNTY if suit be brought hereon, but in no event shall said Surety's
liability exceed the penal sum hereof plus such expenses and attorney's fees. For
purposes of unsuccessful bid protests filed by the Principal herein, this obligation shall bind
the Surety to pay costs and damages associated with the bid protest or delays to the
project upon a finding from the Board of County Commissioners for Lee County that the
proposal protest was frivolous and/or lacked merit. The liability of the Surety shall not
exceed the penal sum of the Proposal Security bond.

Witness as to Principal:

(By) Paul S. Sumner

[Signature] (SEAL)
(Principal)

Witness as to Surety:

N/A

[Signature] (SEAL)
(Surety's Name)
(By-As Attorney-in-Fact, Surety)

Affix Corporate Seals and attach proper Power of Attorney for Surety.

* CASHIERS CHECK ATTACHED
IN AMOUNT OF: \$2,500.00