

**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, August 6, 2014, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 6, 2014 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Mayor DuBois led the pledge of allegiance.

**SPECIAL PRESENTATIONS/REPORTS**

None

**PUBLIC COMMENT:**

1. Alexa Lee, Program Director for the Palm Beach County Substance Awareness Coalition addressed the Commission regarding strengthening "Family Day", which is an event that takes place each year in September. The event is geared towards a growing movement to strengthen the bond between parents and their children.

Vice-Mayor Glas-Castro asked if the event was celebrated on a particular day in September.

Ms. Lee stated that it is celebrated on September 22, 2014. Casa Family Day will sponsor the event with the Palm Beach County Substance Awareness Coalition as a co-sponsor. Casa Family Day ([www.casafamilyday.org](http://www.casafamilyday.org)) is encouraging the event to take place sometime during the third week of September.

Mayor DuBois offered to have staff send Ms. Lee the contact information on the different organizations in Town that could provide support and make families aware of the event.

Ms. Lee provided her contact information as 561-844-5952 and email address [alexalee@pbcsac.org](mailto:alexalee@pbcsac.org).

**CONSENT AGENDA:**

- 1. Regular Commission Meeting Minutes of July 16, 2014**
- 2. Commission Budget Meeting Minutes of July 17, 2014**
- 3. Request for Approval of the Settlement of the Lawsuit Resulting from a March 12, 2013 Trip and Fall Accident**
- 4. Palm Beach County Criminal Justice Commission Fiscal Year 2015 Allocation of Justice Assistance Grant Funds in the Amount of \$341,227**

Commissioner O'Rourke asked to have item 3 pulled.

**Motion: Commissioner Flaherty moved to approve items 1, 2 and 4 on the Consent Agenda; Commissioner Rapoza seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Commissioner O'Rourke stated that after reviewing the item, he was able to answer his own question and it was no longer necessary to discuss the item.

**Motion: Commissioner O'Rourke moved to approve item 3 on the Consent Agenda; Commissioner Flaherty seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

**PUBLIC HEARINGS - ORDINANCES ON FIRST READING:**

None

**PUBLIC HEARINGS - ORDINANCE ON SECOND READING:**

**5. ORDINANCE NO. 10-2014 Amending Chapter 78, Article I, Section 78-2 to Modify the Definition for "Substance Abuse, Treatment Facility" and Amending Chapter 78, Article III, Section 78-71 (2)(F) to Eliminate the Distance Separation Requirement to Residential Properties for Substance Abuse Treatment Facilities.**

Town Manager Sugerman explained the item (see attached Exhibit "A").

Commissioner O'Rourke asked if it were the intension of the Town to address other sections of the Code relating to substance abuse treatment facilities that affect residential areas.

Town Manager Sugerman stated "yes". He explain that Commissioner O'Rourke was asking about how substance abuse treatment facilities are treated under the Code in different zoning districts, in particular residential districts, which this Ordinance does not

address. The Town staff would be addressing potential modifications to the Code as it relates to substances abuse treatment facilities at a later date.

**Public Comment:**

None

**Public Comment Closed:**

**Motion: Commissioner Rapoza moved to approve Ordinance 10-2014 on second reading; Vice-Mayor Glas-Castro seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

**NEW BUSINESS:**

**6. Award of Annual Budgeted Sidewalk Replacement Contract**

Town Manager Sugerman explained the item (see attached Exhibit "B").

Commissioner O'Rourke stated that as it pertains to agenda item number 3, does this agenda item address that particular trip hazard.

Public Works Director Dave Hunt stated that this agenda item does not address agenda item number 3. He stated that it was the responsibility of the claimant to take care of that issue.

Mayor DuBois asked which sidewalks would be included in the repair contract.

Public Works Hunt stated that the entire grid list of sidewalks as outlined in Exhibit "B" would be repaired.

Mayor DuBois stated that approximately a year ago a resident addressed the Commission regarding having sidewalk cuts where they currently did not exist. He asked if those sidewalk cuts were considered in this contract to be repaired.

Public Works Director Hunt stated that yes; that particular sidewalk cut was being installed as part of the contracted repairs.

**Motion: Commissioner O'Rourke moved to award the annual sidewalk improvement project to Dunworth Construction, Inc.; Commissioner Rapoza seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

**7. Commission Discussion on the Subject of Relaxing Town Codes in Order to be more "Business Friendly".**

Town Manager Sugerman explained that Commissioner Rapoza would like to discuss eliminating many of the current restrictions in the Code along Northlake Boulevard, U.S. 1, and all industrial zoned land, which could help to make the Town more "business friendly".

Commissioner Rapoza felt that small businesses are the backbone of the Town and the Town should work well with them. She stated that we should support industries, both large and small, with a strong positive due diligence, working within our economic infrastructure. She felt that the only way to achieve this would be by listening and earning a reputation as a friendly Town for residents, businesses, and industry.

Commissioner Flaherty stated that the businesses he spoke with commented that they have received friendly service from the Town.

Commissioner O'Rourke stated that he has spoken with businesses and they reported having had positive experiences with the Town. He commended the way the Town Manager and staff have treated businesses in Town.

Vice-Mayor Glas-Castro stated that she needed to better understand which Codes Commissioner Rapoza was hearing needed to be relaxed or modified.

Commissioner Rapoza stated that she has heard the frustration from businesses regarding the Code being restrictive with flying balloons, requiring permits for signs for a charitable event, and a business that has been in Town for 25 years having to comply with Code requirements in order to sell their business.

Commissioner O'Rourke stated that the Town was trying to improve every day. He suggested that the businesses work with the Town staff to resolve any issues that may arise.

Town Manager Sugerman shed some light as to why this topic was being discussed by the Commission. He explained that the Code prohibits businesses from flying balloons,

having feathered flags, and snipe signs. A business flying balloons received a warning from the Code Compliance Division of the Community Development Department. The business asked staff why they could not fly balloons, and they were told that the Code prohibits it. He explained that the businesses expressed their frustrations to Commissioner Rapoza and she then asked how the Code could be relaxed or modified. He explained to Commissioner Rapoza that the Commission would need to discuss the topic and decide if they wanted to modify the Code, which was why this topic was on the agenda for discussion. He stated that Commissioner Rapoza is looking for feedback from the Commission as to whether the Code should be relaxed or modified to be more businesses friendly.

Mayor DuBois explained that several years ago several Codes were modified to assist businesses during the economic recession.

The Commission discussed the concept of “business friendly”, and felt that no changes should be made to the Code at this time.

Town Manager Sugerman explained that a welcome packet was provided to all new businesses, which contained resources about the Town, the Code, and other area organizations.

#### **TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**Town Attorney Baird** explained that the Town has received two lawsuits from Citizens Awareness Network, in which it is his opinion that it is in the best interest of the Town to settle the public records lawsuit and he felt that it would be in the best interest of the Town to defend the second lawsuit regarding an alleged violation of the Sunshine Law. He explained that the Court has approved a Final Judgment to a Quiet Title action by Default to the Town for a piece of land along the Public Works property. He stated that the Court has entered an Order Granting the Town’s Motion for Summary Judgment in the Grumpy Grouper lawsuit. He stated that United States Attorney Earnest McFarland would like to meet with each of the Commissioners individually regarding the voting system. He would schedule those meetings with the Commissioners and Attorney McFarland during the last week of August.

**Town Manager Sugerman** announced that the budget workshop was scheduled for Wednesday, August 20, 2014 at 6:30 p.m. immediately following would be the regular Commission meeting. He stated that the first Public Hearing on the budget would be held on Wednesday, September 3, 2014 at 6:30 p.m. immediately following would be the Regular Commission meeting. He stated that Crown Castle would like to renew its contract with the Town, which expires in 2019. They have offered the Town an increase in the monthly fee, but Vice-Mayor Glas-Castro was able to find other recent contracts (in other jurisdictions), which show that the increased amount offered by Crown Castle was considerably lower than what other jurisdictions are receiving.

Attorney Baird stated that Crown Castle has approached the Town several times over the past ten years asking to renew the contract and staff has been trying to modify the contract because it is so favorable to Crown Castle and not to the Town.

The Commission came to a consensus to decline the offer.

Town Manager Sugerman stated that he would contact Crown Castle and let them know that the Commission is not interested in renewing the contract in 2019.

**Mayor DuBois** stated that the Town has several organizations that meet in the Town that can be helpful to Ms. Lee and the awareness of the “Family Day” event. A list of organizations would be provided to Ms. Lee.

Vice-Mayor Glas-Castro suggested that the organizations be encouraged to have a family day pot luck and chili cook-off.

Mayor DuBois announced that the next chili cook-off would be held on November 15, 2014.

**Commissioner Rapoza** announced that Ms. Fallon, VP Commercial Leander representing First United Bank, has donated materials to Lake Park Elementary. She stated that Lake Park Elementary School’s educational rating has risen from a D school to a B school. She stated that the annual Fishing Foundation had a great children’s fishing event at the Lake Park Harbor Marina. The August “Property of the Month” has been awarded to 419 2<sup>nd</sup> Street. She asked the Town Manager for a status on the Seafood Festival.

Town Manager Sugerman stated that the Seafood Festival has been canceled.

**Commissioner Flaherty** thanked Diane Sophinos for a gift she gave him recently. He thanked the Town Manager for assisting with an issue with a business on 10<sup>th</sup> Court.

**Commissioner O’Rourke** announced that a new sandwich shop would be opening on the corner of US 1 and Hawthorne Drive called Nature’s Way.

**Vice-Mayor Glas-Castro** stated that the Florida League of Cities conference would be taking place from Thursday, August 14 through 17 in Hollywood.

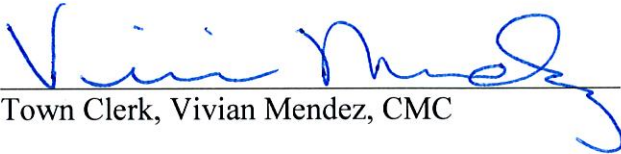
**Mayor DuBois** encouraged everyone to attend the budget workshops in August and September.

**ADJOURNMENT:**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Commissioner Rapoza, and by unanimous vote, the meeting adjourned at 7:40 p.m.



Mayor James DuBois



Town Clerk, Vivian Mendez, CMC



FLORIDA

Approved on this 20 of August, 2014



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, August 6, 2014, 6:30 p.m.  
Lake Park Town Hall  
535 Park Avenue

<b>James DuBois</b>	—	<b>Mayor</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Mayor</b>
<b>Erin T. Flaherty</b>	—	<b>Commissioner</b>
<b>Michael O'Rourke</b>	—	<b>Commissioner</b>
<b>Kathleen Rapoza</b>	—	<b>Commissioner</b>
.....		
<b>Dale S. Sugerman, Ph.D.</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez, CMC</b>	—	<b>Town Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

None

D. **PUBLIC COMMENT:**

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked



to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

1. Regular Commission Meeting Minutes of July 16, 2014 Tab 1
2. Commission Budget Meeting Minutes of July 17, 2014 Tab 2
3. Request for Approval of the Settlement of the Lawsuit Resulting from a March 12, 2013 Trip and Fall Accident. Tab 3
4. Palm Beach County Criminal Justice Commission Fiscal Year 2015 Allocation of Justice Assistance Grant Funds in the Amount of \$341,227 Tab 4

**F. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**

None

**G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:**

5. ORDINANCE NO. 10-2014 Amending Chapter 78, Article I, Section 78-2 to Modify the Definition for “Substance Abuse, Treatment Facility” and Amending Chapter 78, Article III, Section 78-71 (2)(F) to Eliminate the Distance Separation Requirement to Residential Properties for Substance Abuse Treatment Facilities. Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 PERTAINING TO THE DEFINITION OF SUBSTANCE ABUSE FACILITY; PROVIDING FOR THE SEPARATION REQUIREMENTS FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-71(2)(f) ELIMINATING THE DISTANCE SEPARATION REQUIREMENT BETWEEN SUBSTANCE ABUSE TREATMENT FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; ; AND PROVIDING FOR AN EFFECTIVE DATE.

**H. NEW BUSINESS:**

6. Award of Annual Budgeted Sidewalk Replacement Contract Tab 6
7. Commission Discussion on the Subject of Relaxing Town Codes in Order to be more “Business Friendly” Tab 7

**I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**J. ADJOURNMENT**

Next Scheduled Regular Commission Meeting will be held on Wednesday, August 20, 2014



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "A"

Meeting Date: August 6, 2014

Agenda Item No.

**Agenda Title:** AN ORDINANCE AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 TO MODIFY THE DEFINITION FOR "SUBSTANCE ABUSE TREATMENT FACILITY" AND AMENDING CHAPTER 78, ARTICLE III, SECTION 78-71 (2)(F) TO ELIMINATE THE DISTANCE SEPARATION REQUIREMENT TO RESIDENTIAL PROPERTIES FOR SUBSTANCE ABUSE TREATMENT FACILITIES.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 2<sup>nd</sup> READING
- NEW BUSINESS
- OTHER: \_\_\_\_\_

Approved by Town Manager  Date: 7/28/14

Nadia Di Tommaso / Community Development Director   
Name/Title

<b>Originating Department:</b>  Community Development	Costs: \$ Legal Ad Funding Source: Town Clerk Acct. # 106-48100 <input type="checkbox"/> Finance _____	<b>Attachments:</b>  →ORDINANCE 10-2014 →Town Code Excerpts for Substance Abuse Treatment Facilities →Legal Ad
<b>Advertised:</b> Date: July 27, 2014 Paper: Palm Beach Post <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone or Not applicable in this case ____ <b>Please initial one.</b>

Summary Explanation/Background:

**APPROVED (3-2) on 1<sup>st</sup> Reading – Wednesday, July 16, 2014**

Every now and again staff comes across certain regulations of the Town Code of Ordinances that are inconsistent with other sections of the Town Code and brings them forward to the Town Commission for consideration. In this case, a third-party attorney working alongside a new business applicant, alerted staff of certain inconsistencies in the Code.

As the Town Commission is probably already aware, all properties in Town are regulated pursuant to their corresponding zoning district designations. A majority of the south side of Northlake Boulevard is designated as a Commercial-1 (C-1) zoning district. As with all zoning districts, there is a list of permitted uses (for example, professional offices, restaurants, etc.) which may operate within the zoning district “by right”. That is, no special permission is needed for any type of use that is on the list of permitted uses for that zoning district. Additionally, there are other types of uses that are allowed in a particular zoning district, but those uses are not allowed to operate “by right” but rather, they need permission to operate as part of a special exception use which requires an additional public hearing review process based on their potential impacts to the surrounding neighborhood where they are proposing to locate the particular use.

A “substance abuse treatment facility” is one of the special exception uses permitted in the C-1 zoning district under Section 78-71(2)(f). However, this is the ONLY zoning district that lists the use of a “substance abuse treatment facility” with an additional distance separation requirement of 1,500 feet to residential properties. This additional separation requirement is problematic due to the fact that all but maybe a few properties located along Northlake Boulevard are immediately adjacent to residential properties. That is, virtually all property fronting the south side of Northlake Boulevard is basically separated by 0 (zero) feet from residential property. It is further problematic in that substance abuse treatment facilities are actually PERMITTED BY SPECIAL EXCEPTION APPROVAL in ALL RESIDENTIAL zoning districts. This therefore creates an unsustainable conflict in the Town Code. To that end, staff recommends eliminating the distance separation language as follows:

#### **Chapter 78, Article III**

##### **Sec. 78-71. C-1 business district.**

**(2)(f) Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility ~~or within 1,500 feet of a residential zoning district~~**

Finally, understanding that each zoning district has certain uses that are permitted by right (in other words, can be approved administratively by staff) and other uses that are permitted by special exception use application (Town Commission approval required), staff is also proposing to modify the *substance abuse treatment facility* definition in Section 78-2, as follows:

#### **CHAPTER 78, ARTICLE I**

##### **SECTION 78-2**

**Substance abuse treatment facility means a facility having one or more service components that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.**

This modification would prevent the “double-obstruction” effect from taking place. For example, if a Doctor of Psychology proposes a ‘professional office’ to counsel individuals with eating disorders, this would currently be classified as a “professional office” in the C-1 zoning district and would be permitted to locate in this zoning district “by right”. However, if this same Doctor of Psychology also counsels patients in recovery, which is considered **one** component of a ‘substance abuse treatment facility’ licensed by the State of Florida, this service would not be permitted “by right” solely based on the ‘type’ of individual being counseled. The only way to rectify this “double-obstruction” regulation is to modify the definition in Section 78-2 as proposed above. If it is not modified, the Code, as it is currently written, essentially provides for an approval by right for certain patients and an approval *only* by special exception use application for individuals in recovery. This double obstruction is inconsistent and could potentially be deemed discriminatory. Consequently, staff recommends modifying the definition in Section 78-2.

**Recommended Motion:** I move to ADOPT Ordinance 10-2014 on second reading.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "B"

Meeting Date: August 6, 2014

Agenda Item No.

Agenda Title: Award of Annual Budgeted Sidewalk Replacement Contract

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON \_\_\_\_ READING
- NEW BUSINESS**
- OTHER: \_\_\_\_\_
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager  Date: 7/21/14

  
David Hunt / Public Works Director

<p><b>Originating Department:</b>  Public Works</p>	<p>Costs: \$20,030.00 Funding Source: Streets &amp; Roads, FY '13/'14 Budget  Acct. # 190-63050  [X] Finance <u>BKR</u></p>	<p>Attachments: Replacement Location Spreadsheet - Contractor Quote Sheets w/ Unit Costs - Town Quote Sheets - Florida Department of State Printout Stating the Active Corporate Status of Dunworth Construction, Inc, - A Copy of Dunworth's Florida Contractor's License</p>
<p><b>Advertised:</b> Date: _____ Paper: _____ [X] Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone <u>gsk</u> or Not applicable in this case _____  Please initial one.</p>

Summary Explanation/Background:

The Fiscal Year 2013-2014 Streets & Roads Fund contains a line item for sidewalk improvements. Every year, a list is compiled of areas in need of sidewalk replacement based upon citizens reporting unsafe conditions to the Town as well as field observations made by Code Compliance Officers and Public Works personnel. The Town Code of Ordinances,

**Section 72-2, addresses the obligation of property owners to maintain the public sidewalks adjacent to their property. However there are instances when it cannot be determined that the property owner has caused the unsafe condition of the sidewalk and the Town uses the budgeted funds to make the necessary repairs.**

**Upon inspection, a sidewalk that has been reported to Town staff is given a rating between one and five, with five being the most severely damaged. Sidewalks with either a rating of four or five are targeted annually for replacement by a contractor submitting a low, competitive quote.**

**This year, four contractors were solicited to provide unit price quotes. One of these contractors was non-responsive. The attached spreadsheet reflects the three responding contractors' prices calculated to the nearest tenth of a foot. Two of the contractors submitted unit prices but there were quantity rounding errors. The low bidder, Dunworth Construction, Inc., has agreed to perform the work for the amount of \$18,209.09 using the Town's calculated quantities. If additional work is performed, it shall be paid using the submitted unit prices. When performing demolition and replacement of sidewalks it is prudent to allow a ten percent contingency. For this project, the contingency would be \$1,820.90.**

**Recommended Motion: I move to award the Annual Sidewalk Improvement Project to Dunworth Construction, Inc. in the amount of \$18,209.09 and to provide for contingencies in the amount of \$1,820.90.**

REQUEST FOR WRITTEN QUOTE  
TOWN OF LAKE PARK, FLORIDA

Date 7/16/14

Awarded to DUNWORTH CONST.

Description of Work SIDEWALK REMOVE AND  
REPLACE

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Bidder DUNWORTH CONST.

Bidder GALLIANO CONCRETE

Phone # 561-966-0089

Phone # 561-745-3774

Amount ~~\$19,166~~

Amount ~~\$21,682.00~~

QUOTE USING  
TOWN QUANTITIES  
CONTRACTOR'S  
UNIT PRICES

\$18,209.00

\$19,001.00

Bidder ALLIANCE CURB

Bidder PATHWAYS CONST.

Phone # 561-795-0649

Phone # 561-478-4822

Amount NO BID

Amount \$23,200.00

UNABLE TO DETERMINE  
ADA RAMP QUANTITIES

The Town of  
Lake Park



FAX COVER SHEET

TO: SHAWN CUNNINGHAM COMPANY DUNWORTH CONST.

FAX# 561-784-4972 PHONE# 561-966-0089

FROM: HOWARD BUTTS COMPANY TOWN OF LAKE PARK

FAX# 561-881-3349 PHONE# 561-722-9379

RE: SIDEWALK REPLACEMENT LIST

DATE: 6/30/14 TOTAL PAGES INCLUDING COVER 7

SHAWN.

THIS IS REPLACEMENT LIST FOR  
"2014".

NOTE; AREAS ON CRESCENT DR.  
ARE NEW POUR AND CURVED.



Dunworth Construction, Inc.

11924 W Foresthill Blvd.

Suite 22-386

Wellington, Florida 33414

# Estimate

Date	Estimate #
6/30/2014	24647

Name / Address
Town of Lake Park 535 Park Avenue Lake Park, Florida 33403 Attn: Mr. Butts

Ship To
Sidewalk replacement list 2014

Project

Description	Qty	Cost	Units	Total
REMOVE 4" CONCRETE	1,510	2.00	sf	3,020.00
FORM AND POUR 4" CONCRETE	1,510	3.75	sf	5,662.50
REMOVE 6" CONCRETE	1,000.5	2.50	sf	2,501.25
FORM AND FINISH FLATWORK 6"	1,330.5	4.50	sf	5,987.25
INSTALL NEW ADA HANDICAP RAMP 6"	56	30.00	sf	1,680.00
MISC MATERIALS EXPANSION JOINT	80	0.50	lf	40.00
PROCURE PERMIT WITH CUSTOMERS PROVIDED SURVEY.	1	275.00	each	275.00
Thank you for your business.			<b>Total</b>	<b>\$19,166.00</b>

FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS



[Events](#)   [Name History](#)

dunworth c

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## Detail by Entity Name

Florida Profit Corporation DUNWORTH CONSTRUCTION, INC.

### Filing Information

Document Number P01000007272 FEI/EIN Number 651070173 Date Filed 01/18/2001 State FL  
Status ACTIVE Last Event REINSTATEMENT Event Date Filed 01/06/2003 Event Effective  
Date NONE

### Principal Address

11924 W FORESTHILL BLVD  
22-386  
WELLINGTON, FL 33414

Changed: 02/19/2010

### Mailing Address

11924 W FORESTHILL BLVD  
22-386  
WELLINGTON, FL 33414

Changed: 02/19/2010

Registered Agent Name & Address DUNWORTH, ROY F

625 SW SALERNO ROAD  
STUART, FL 34997

### Officer/Director Detail Name & Address

Title PTS

DUNWORTH, ROY F  
625 SW SALERNO ROAD  
STUART, FL 34997

Title V

CUNNINGHAM, SHAWN E  
625 SW SALERNO RD  
STUART, FL 34997

## Annual Reports

### Report Year Filed Date

2012	01/26/2012
2013	04/14/2013
2014	04/21/2014

## Document Images

[04/21/2014 -- ANNUAL REPORT View image in PDF format](#)  
[04/14/2013 -- ANNUAL REPORT View image in PDF format](#)  
[01/26/2012 -- ANNUAL REPORT View image in PDF format](#)  
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[07/24/2006 -- ANNUAL REPORT View image in PDF format](#)  
[01/30/2005 -- ANNUAL REPORT View image in PDF format](#)  
[05/24/2004 -- ANNUAL REPORT View image in PDF format](#)  
[01/06/2003 -- REINSTATEMENT View image in PDF format](#)  
[12/12/2001 -- Name Change View image in PDF format](#)  
[01/18/2001 -- Domestic Profit View image in PDF format](#)

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**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**CONSTRUCTION INDUSTRY LICENSING BOARD**  
 1940 NORTH MONROE STREET  
 TALLAHASSEE FL 32399-8783

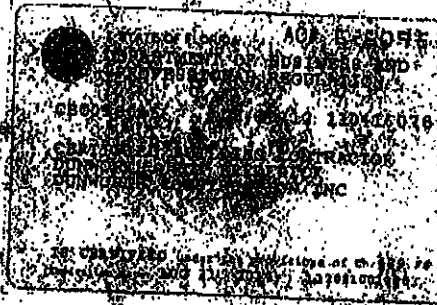
(850) 487-1395

**DUNWORTH, ROY FREDERICK**  
**DUNWORTH CONSTRUCTION INC**  
 625 SW SALERNO ROAD  
 STUART FL 34997

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from bakers to barbecue restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto [www.myfloridalicense.com](http://www.myfloridalicense.com). There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



DETACH HERE

AC# 6260852

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

SEQ# 12001001280

DATE	BATCH NUMBER	LICENSE NUMBER
09/10/2012	110416078	CHC650448

The BUILDING CONTRACTOR  
 Named below IS CERTIFIED  
 Under the provisions of CHAPTER 488  
 Expiration date: AUG 31, 2014

**DUNWORTH, ROY FREDERICK**  
**DUNWORTH CONSTRUCTION INC**  
 625 SW SALERNO ROAD  
 STUART FL 34997

RICK SCOTT  
GOVERNOR

KEN TAVRON

# TOWN OF LAKE PARK

6/9/14

INITIAL S DATE 6/9/14

ADA MAT OR ADA STAMP

SIDEWALK REPLACEMENT LOCATIONS	WIDTH	LENGTH	THICKNESS	ADA MAT OR ADA STAMP	EXP. JOINT	ROOTS	RAT
359 10TH ST. (NORTH SIDE)	5'	90'	6"	NO	YES	?	5
CRESCENT DR. AND REDWOOD DR.	SEE	DIAGRAM	6"	YES	NO	NO	NEI POW
CRESCENT DR. AND TEAK DR.	SEE	DIAGRAM	6"	YES	NO	?	NEI POW
1400 OLD DIXIE HWY. (REAR) ON N. KILLIAN DR.	SEE	DIAGRAM	6"	NO	YES	NO	4
1368 N. KILLIAN DR.	5'	14'	4"	NO	NO	YES	5
???	5'	15' 1"	4"	NO	NO	YES	5
???	6'	2' 9"	6"	NO	NO	?	4

2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks > 1/8" w and/or deep spalls; 1/4" - 1/2" lip  
 4 = 1/2" - 3/4" lip or elevation drop; multiple cracks; Trip Hazard  
 5 = > 3/4" lip; severely crushed; In need of "immediate Re: "

# TOWN OF LAKE PARK

6/9/14

INITIALS SD DATE 6/9/14

SIDEWALK REPLACEMENT LOCATIONS	WIDTH	LENGTH	THICKNESS	ADA MAT OR ADA STAMP		EXP. JOINT	ROOTS	RATE
				ADA MAT OR ADA STAMP	ADA STAMP			
356 CYPRESS DR.	5'	47' 4"	6"	NO	NO	NO	?	5
400 CYPRESS DR.	5'	14'	6"	NO	NO	NO	?	4
330 FEDERAL HWY	5'	5' 8"	6"	NO	NO	NO	?	5
203 FORESTERIA	5'	25' 9"	4"	NO	NO	NO	?	5
307 HAWTHORNE DR.	5'	45'	4"	NO	NO	NO	YES	4
315 HAWTHORNE DR.	5'	10'	4"	NO	NO	NO	YES	4
323 HAWTHORNE DR.	5'	100'	4"	NO	NO	NO	YES	4
323 HAWTHORNE DR.	5'	15'	6"	NO	NO	YES	YES	4
341 HAWTHORNE DR.	5'	25'	4"	NO	NO	NO	YES	4
244 GREENBRIAR DR.	5'	24' 8"	4"	NO	NO	NO	NO	4
254 GREENBRIAR DR.	5'	10'	4"	NO	NO	NO	NO	4
810 LAKESHORE DR.	5'	14' 7"	4"	NO	NO	NO	NO	5
650 PALMETTO RD. "OAK JASMINE"	5'	17' 6"	4"	NO	NO	NO	NO	5
741 LAUREL DR.	5'	4'	4"	NO	NO	NO	NO	5
1457 FLAGLER BLVD.	5'	4' 6"	4"	NO	NO	NO	NO	5

2 = Narrow crack/shallow spall; potential trip hazard

3 = Cracks > 1/8" w and/or deep spalls; 1/4" - 1/2" lip

4 = 1/2" - 3/4" lip or elevation drop; multiple cracks; Trip Hazard

5 = > 3/4" lip; severely crushed; in need of "immediate Rep

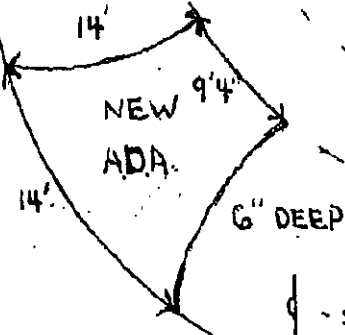
(N)

INITIAL (D) DATE 11/30

(E)

CRESCENT DR.

(W)

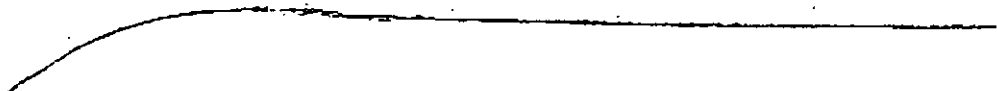
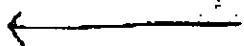


← EXISTING SIDEWALK →

↓ STOP SIGN

REDWOOD DR.

CRESCENT CIRCLE

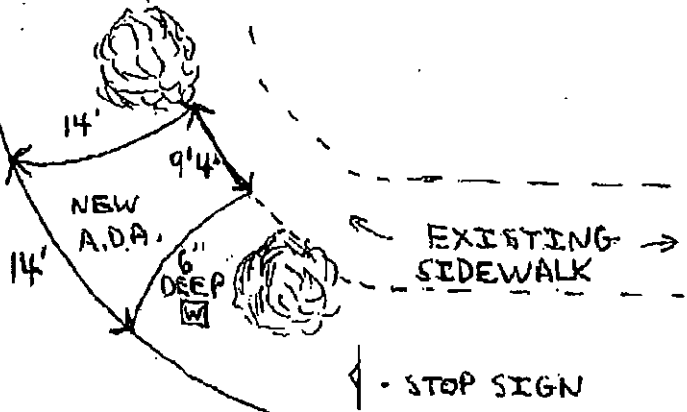


CRESCENT DR.

INITIAL  DATE 6/5/02

(W)

(E)




TEAK DR.  
←

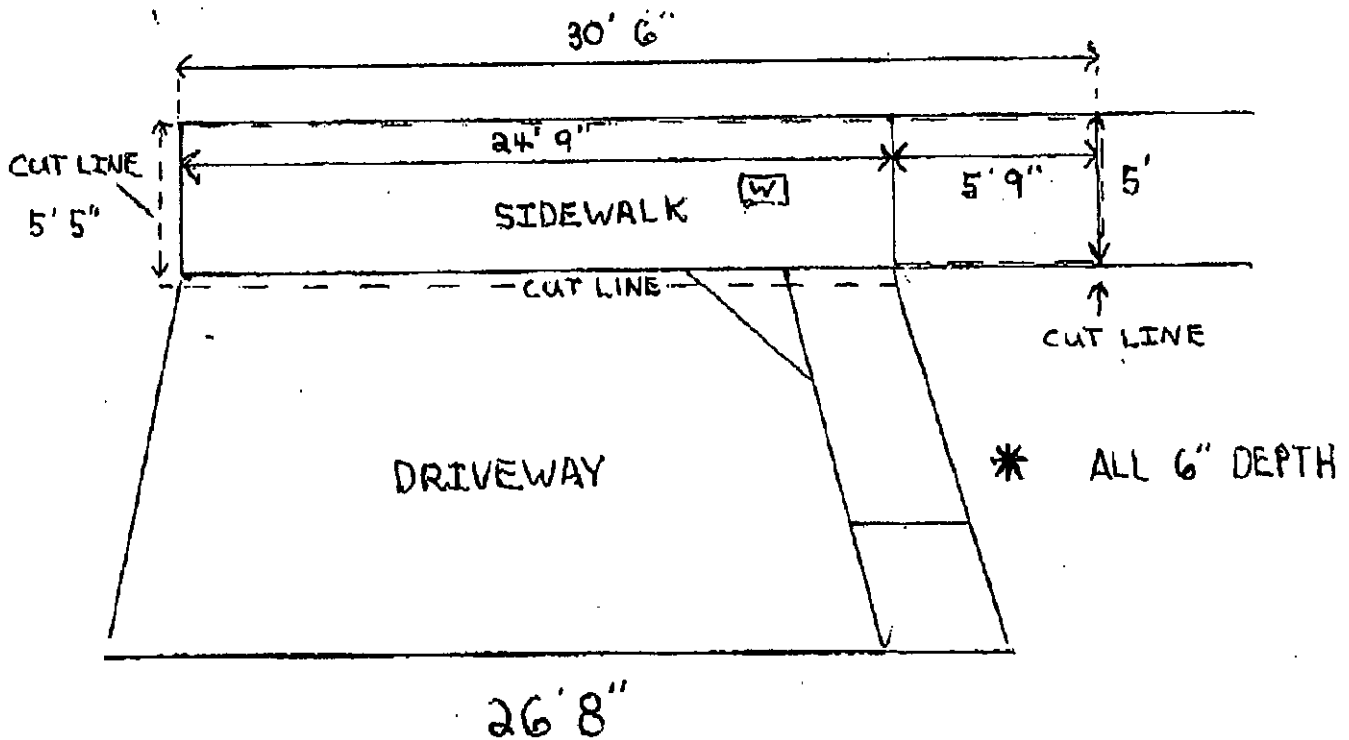
CRESCENT CIR.

(S)



BLVD. PAINT (REAR)  
1400 OLD DIXIE HWY.

INITIAL  DATE 6/30



N. KILLIAN DR.

NOTE (-----) AREA TO CUT, REMOVE AND REPLACE

INITIAL S DATE 6/30

**TOWN OF LAKE PARK  
SCOPE OF WORK  
SIDEWALK REPAIR/REPLACEMENT**

Contractor to supply all materials.

Contractor responsible for all underground locates.

All contractors must register with the Town of Lake Park Community Development Department for a permit.

~~Contractor must supply barricades, cones, caution tape and/or any signage to protect work site.~~

Areas to be saw cut by contractor, remove and dispose of all materials.

All A.D.A. areas to meet current code as per Palm Beach County.

Install forms, compact loose soil, remove any tree roots that may cause future damage.

Forms to be inspected by Town of Lake Park before pouring.

All locations to be marked with orange paint by Town of Lake Park.

Contractor to replace any sprinkler parts that are damaged during removal.

All sidewalks/driveways to be hand tooled joints every 5' with light broom finish.

Contractors to supply expansion joints where needed - as per location sheet.

Keep concrete truck on roadway, DO NOT RUT SWALE AREAS.

Clean up all debris after pour.

3,000 PSI concrete.

Back fill after forms removed.

Thickness to be noted on location sheet.

Width to be noted on location sheet.

# The Town of Lake Park



## TAX COVER SHEET

TO: GARY GALLIANO COMPANY GALLIANO CONCRETE

FAX# 561-529-2203 PHONE# 561-745-8774

FROM: HOWARD BUTTS COMPANY TOWN OF LAKE PARK

FAX# 561-881-3349 PHONE# 561-722-9379

RE: SIDEWALK REMOVE/REPLACE

DATE: 7/8/14 TOTAL PAGES INCLUDING COVER 7

GARY, I WANTED TO GET A QUOTE  
ON SIDEWALK REPLACEMENT FROM  
YOU IF POSSIBLE, YOU CAME VERY  
CLOSE LAST YEAR.

CHECK EVERYTHING AND SEND ME  
A QUOTE AS SOON AS POSSIBLE, IF  
YOU NEED TO MEET WITH ME TO GO  
OVER THESE AREAS, CALL ME AT  
561-722-9379. A PERMIT WILL NEED  
TO BE PULLED, BUT THE FEE WILL BE WAIVED.

\* PLEASE INITIAL AT THE TOP OF  
ALL PAGES AND SEND BACK - THANKS

*Department of Public Works* - HOWARD

# TOWN OF LAKE PARK

6/9/14

INITIALS SS DATE 7/5

SIDEWALK PLACEMENT CATIONS	WIDTH	LENGTH	THICKNESS	ADA MAT OR ADA STAMP		EXP. JOINT	ROOTS	RATING
				ADA MAT	ADA STAMP			
56 CYPRESS DR.	5'	47' 4"	X 6"	240	NO	NO	?	5
00 CYPRESS DR.	5'	14'	X 6"	70	NO	NO	?	4
30 FEDERAL HWY	5'	5' 8"	X 6"	30	NO	NO	?	5
33 FORESTRIA	5'	25' 9"	4"	130	NO	NO	?	5
37 HAWTHORNE DR.	5'	45'	4"	225	NO	NO	YES	4
5 HAWTHORNE DR.	5'	10'	4"	50	NO	NO	YES	4
13 HAWTHORNE DR.	5'	100'	4"	500	NO	NO	YES	4
23 HAWTHORNE DR.	5'	15'	X 6"	75	NO	YES	YES	4
41 HAWTHORNE DR.	5'	25'	4"	125	NO	NO	YES	4
44 GREENBRIAR DR.	5'	24' 8"	4"	125	NO	NO	NO	4
54 GREENBRIAR DR.	5'	10'	4"	50	NO	NO	NO	4
0 LAKESHORE DR.	5'	14' 7"	4"	<del>75</del> 75	NO	NO	NO	5
50 PALMETTO RD. "OM JASMINE"	5'	17' 6"	4"	90	NO	NO	NO	5
41 LAUREL DR.	5'	4'	4"	20	NO	NO	NO	5
57 FLAGLER BLVD.	5'	4' 6"	4"	25	NO	NO	NO	5

4 = 1/2"-3/4" lip or elevation drop; multiple cracks; Trip Hazard.  
5 = >3/4" lip; severely crushed; in need of "immediate repair".

2 = Narrow crack/shallow spall; potential trip hazard  
3 = Cracks >1/8" and/or deep spalls; 1/4"-1/2" lip

# TOWN OF LAKE PARK

6/9/14

INITIAL *SP* DATE *7/5*

DEWALK PLACEMENT LOCATIONS	WIDTH	LENGTH	THICKNESS	ADA MAT OR ADA STAMP	EXP. JOINT	ROOTS	RATING
59 10TH ST. (NORTH SIDE)	5'	90'	X 6" 450	NO	YES	?	5
RESCENT DR. AND REDWOOD DR.	SEE	DIAGRAM	X 6" 182	YES	NO	NO	NEW POUR
RESCENT DR. AND TEAK DR.	SEE	DIAGRAM	X 6" 182	YES	NO	?	NEW POUR
100 OLD DIXIE HWY (R) ON N. KELLIAN DR.	SEE	DIAGRAM	X 6" 153	NO	YES	NO	4
368 M. KELLIAN DR.	5'	14'	4" 70	NO	NO	YES	5
???	5'	15' 1"	4" 75	NO	NO	YES	5
???	6'	2' 9"	X 6" 18	NO	NO	?	4
<b>TOTAL BID</b>							
				ADA MAT	-		2400.00
				ADA MAT	6" Thick	01.00 =	984.00
				ADA MAT	4" Thick	06.00 =	9468.00

4 = 1/2"-3/4" lip or elevation drop; multiple cracks; Trip Hazard.  
 S = >3/4" lip; severely crushed; in need of "immediate repair"

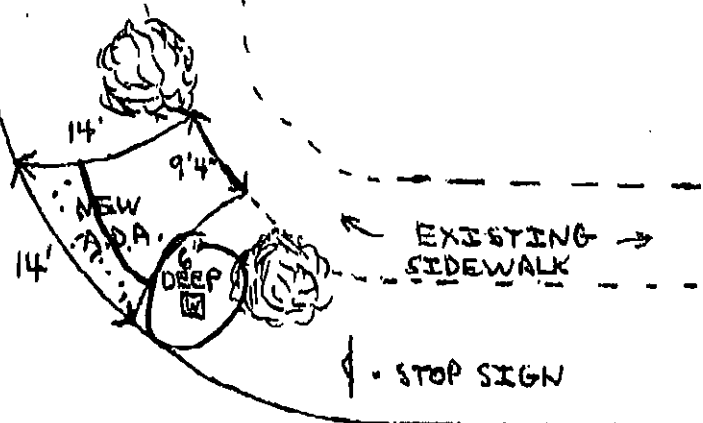
2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks >1/8" w and/or deep spalls; 1/4"-1/2" lip

CRESCENT DR.

INITIAL *GL* DATE 7/9

(W)

(E)



TEAK DR. ←

CRESCENT CIR.

(S)

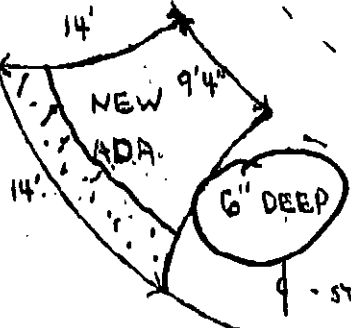
(N)

INITIAL *JG* DATE *7/9*

CRESCENT DR.

(W)

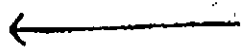
(E)



← EXISTING SIDEWALK →

STOP SIGN

REDWOOD DR.

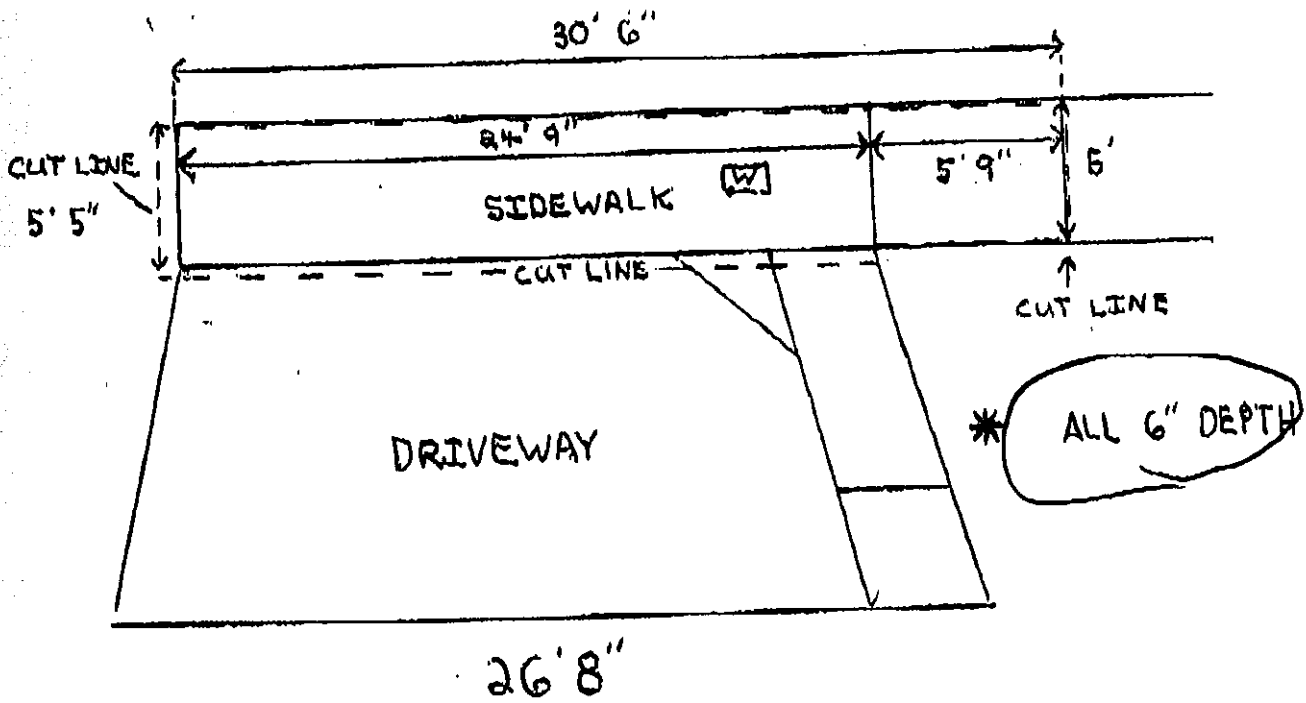


CRESCENT CIRCLE

(S)

BLVD. PAINT (REAR)  
1400 OLD DIXIE HWY.

INITIAL *SL* DATE *7/9*



N. KILLIAN DR.

NOTE (---) AREA TO CUT, REMOVE AND REPLACE



INITIAL SS DATE 7/9

**TOWN OF LAKE PARK  
SCOPE OF WORK  
SIDEWALK REPAIR/REPLACEMENT**

Contractor to supply all materials.

Contractor responsible for all underground locates.

All contractors must register with the Town of Lake Park Community Development Department for a permit.

~~Contractor must supply barricades, cones, caution tape and/or any signage to protect work site.~~

Areas to be saw cut by contractor, remove and dispose of all materials.

All A.D.A. areas to meet current code as per Palm Beach County.

Install forms, compact loose soil, remove any tree roots that may cause future damage.

Forms to be inspected by Town of Lake Park before pouring.

All locations to be marked with orange paint by Town of Lake Park.

Contractor to replace any sprinkler parts that are damaged during removal.

All sidewalks/driveways to be hand tooled joints every 5' with light broom finish.

Contractors to supply expansion joint where needed - as per location sheet.

Keep concrete truck on roadway, DO NOT RUT SWALE AREAS.

Clean up all debris after pour.

3,000 PSI concrete.

Back fill after forms removed.

Thickness to be noted on location sheet.

Width to be noted on location sheet.

The Town of  
Lake Park



FAX COVER SHEET

TO: JIM COMPANY PATHWAYS CONST.  
FAX# 561-684-1179 PHONE# 561-478-4822  
FROM: HOWARD BUTTS COMPANY TOWN OF LAKE PARK  
FAX# 561-881-3349 PHONE# 561-881-3345  
RE: SIDEWALK REPLACEMENT CELL - 561-722-9379  
DATE: 7/1/14 TOTAL PAGES INCLUDING COVER 7

JIM;

THIS IS THE REMOVE/REPLACE  
SIDEWALK LIST.

IF YOU WANT TO MEET ME  
TO GO OVER LOCATIONS CALL  
561-722-9379.

AFTER REVIEW INITIAL AND DATE  
TOP OF PAGE AND FAX BACK WITH  
QUOTE,

NOTE; CRESCENT LOCATIONS ARE  
NEW POUR AREAS

Department of Public Works

\*FDOY/DBE CERTIFIED\*  
 \*SBE CERTIFIED PB COUNTY\*  
 \*SBE CERTIFIED WPB\*

# Pathway Enterprises, Inc.

7256 Westport Place \* Suite B \* West Palm Beach \* FL \* 33413

561-478-4822 \* 561-684-1179 Fax

EMAIL: WEDOCURB51@AOL.COM

\*DRIVEWAYS\* \*MEDIANS\*  
 \*CURBING\* \*SIDEWALKS\*  
 \*BARRIER WALL\* \*TRAFFIC RAIL\*  
 \*WALLS: RETAINING & GRAVITY\*

## CONTRACT/PROPOSAL

SUBMITTED TO: <b>TOWN OF LAKE PARK</b>	ATTN: <b>HOWARD BUTTS</b>	PHONE: <b>561-881-3345</b>	FAX: <b>561-881-3349</b>	DATE: <b>7/15/2014</b>
---	------------------------------	-------------------------------	-----------------------------	---------------------------

STREET:	JOB NAME: <b>TOWN OF LAKE PARK SIDEWALK REPAIR/REPLACEMENT</b>
---------	---

CITY, STATE, ZIP CODE	LOCATION: <b>R WILSON @ LAKE PARK FLORIDA. 90V</b>
-----------------------	---

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:

Description	Quantity	Unit	Price	Total
REMOVE & REPLACE CONCRETE SIDEWALKS 4" & 6" THICK **	Approx. 2,900	SF	\$8.00	\$ 23,200.00


\*\*Price includes, Barricades, Cones,  
Caution Tape & Signage

Prices are valid through 12/31/14

Qualifications: SEE ADDENDUM A

WE PROPOSE IN ACCORDANCE WITH THE ABOVE SPECIFICATIONS FOR THE SUM OF:  
**TO BE BASED ON ACTUAL FIELD MEASUREMENT** DOLLARS \$23,200.00  
 BILLED BY THE 30TH ... TO BE PAID BY THE 10TH OF THE FOLLOWING MONTH.  
**TO BE BASED ON ACTUAL FIELD MEASUREMENT.**

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK TO BE COMPLETED IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICES. ANY ALTERATIONS OR DEVIATIONS FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS WILL BE EXECUTED ONLY UPON WRITTEN ORDERS AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS OR DELAYS BEYOND OUR CONTROL. OWNER TO CARRY FIRE, WIND DAMAGE AND OTHER NECESSARY INSURANCE. OUR WORKERS ARE FULLY COVERED BY WORKMAN'S COMPENSATION INSURANCE.

AUTHORIZED SIGNATURE  
  
 NOTE: THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS

### ACCEPTANCE OF PROPOSAL -

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE, IN THE EVENT OF NON-PAYMENT, YOU AGREE TO PAY ALL COST OF COLLECTION, ATTORNEY FEES AND COURT COSTS. PAST DU ACCOUNTS ARE SUBJECT TO A 1 1/2% SERVICE CHARGE MONTHLY AFTER DUE DATE.

AUTHORIZED SIGNATURE \_\_\_\_\_  
 DATE OF ACCEPTANCE \_\_\_\_\_

LOCATION	WIDTH (FEET)	LENGTH (FEET)	Total Square Footage	THICKNESS (INCHES)	RATING	CONTRACTORS' QUOTES TO REMOVE AND REPLACE				COST PER SQUARE FOOT	
						Punnett Construction, Inc.	Galano Concrete, Inc.	Patney Enterprises, Inc.			
356 Cypress Drive	5	47.30	236.50	6	5	\$5.75	\$7.00	\$6.00	\$7.00	\$8.000	
400 Cypress Drive	5	14.00	70.00	6	4		1,655.50	490.00	490.00		
330 Federal HWY	5	5.60	28.00	6	5		196.00		196.00		
203 Foresteria	5	25.75	128.75	4	5	740.31		772.50			
307 Hawthorne	5	45.00	225.00	4	4	1,293.75		1,350.00			
315 Hawthorne	5	10.00	50.00	4	4	287.50		300.00			
323 Hawthorne	5	100.00	500.00	4	4	2,875.00		3,000.00			
323 Hawthorne	5	15.00	75.00	6	4		525.00		525.00		
341 Hawthorne	5	25.00	125.00	4	4	718.75		750.00			
244 Greenbriar	5	24.60	123.00	4	4	707.25		738.00			
254 Greenbriar	5	10.00	50.00	4	4	287.50		300.00			
810 Lakeshore	5	14.50	72.50	4	5	416.88		435.00			
650 Palmetto Rd "on Jasmine"	5	17.50	87.50	4	5	503.13		525.00			
741 Laurel Dr	5	4.00	20.00	4	5	115.00		120.00			
1457 Flagler Blvd	5	4.50	22.50	4	5	129.38		135.00			
350 10th St. (North side)	5	90.00	450.00	6	5		3,150.00		3,150.00		
Crescent Dr. and Redwood Dr. (Redwood & Teak combined quote price)	diagram	diagram		6	New		1,680.00		2,400.00		
Crescent Dr. and Teak Dr.	diagram	diagram		6	New						
1400 Old Dixie hwy (rear) on N. Killian Dr	diagram	diagram	167.70	6	4		1,173.90		1,173.90		
1368 N. Killian Drive	5	14.00	70.00	4	5	402.50		420.00			
1368 N. Killian Drive	5	15.00	75.00	4	5	431.25		450.00			
1368 N. Killian Drive	6	2.75	16.50	6	4		115.50		115.50		
UNIT COST TOTALS:											
MISC. COSTS (EXPANSION JOINT, ETC.):						8,908.19	8,985.90	9,295.50	9,705.90	2900 Sq. Ft. (contractor estimate)	
						315.00	n/a				
TOTAL						\$18,209.09		\$19,001.40		\$25,200.00	

2 = Narrow crack/shallow spall; potential trip hazard  
 3 = Cracks > 1/8" w and/or deep spalls, 1/4"-1/2" lip  
 4 = 1/2"-3/4" lip or elevation drop, multiple cracks; Trip Hazard.  
 5 = >3/4" lip; severely crushed; In need of "immediate repair".