

**ITEM #14**

**ADDITIONAL MATERIAL**

**Regular Meeting  
OCTOBER 23, 2018**

**SUBMITTED AT THE REQUEST OF**

**COMMISSIONER DALE HOLNESS**

## Richards, Heidi

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**From:** Roulhac, J <J.Roulhac@fpl.com>  
**Sent:** Monday, October 22, 2018 3:17 PM  
**To:** Holness, Dale  
**Subject:** FPL's EPC Agreement - relevant terms

**Importance:** High

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SMALL BUSINESS CONTRACTING. FPL is committed to seeking out and encouraging the use of small, minority, women, or otherwise diverse suppliers to the greatest extent possible and encourages contractors to do the same. FPL is a prime contractor to the Federal Government and, as such, is committed to complying with the regulations and laws of the Federal Acquisition Regulations, and flowing down certain requirements to its suppliers, as indicated in the following provisions: (i) if the Agreement provides subcontracting opportunities, Contractor is required to offer small business concerns (as defined by the Federal government in FAR 52-219.8 – [http://acquisition.gov/far/current/html/52\\_217\\_221.html#wp1136032](http://acquisition.gov/far/current/html/52_217_221.html#wp1136032)) the maximum practicable opportunity to participate in subcontracting opportunities and (ii) if the Agreement is in excess of \$650,000 (or \$1.5 million for construction of any public facility with further subcontracting opportunity) and Contractor is other than a small business concern (as defined by the U.S. Small Business Administration at <http://www.sbaonline.sba.gov/index.html>), Contractor is required to prepare and submit a Small Business Subcontracting Plan (as defined by the Federal government in FAR 52-219.9 – [http://acquisition.gov/far/current/html/52\\_217\\_221.html#wp1136058](http://acquisition.gov/far/current/html/52_217_221.html#wp1136058)) to FPL.

COOPERATION WITH OTHER CONTRACTORS/COMMUNITY. In addition to complying with all Applicable Laws and Applicable Permits, Contractor shall use reasonable efforts, and cause its Subcontractors and Vendors to use their reasonable efforts, to assist FPL in creating, assessing and carrying out programs which shall, during all phases of the Work, minimize the impacts upon the host community caused by the construction of the Project. Such programs shall include: (i) sequencing of the Work so as to minimize the impacts of noise and dust at and around the Job Site; and (ii) **using local labor and other resources whenever possible and cost effective.**

**julietmurphyroulhac, esq.**

Corporate External Affairs

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