

**A RESOLUTION ACCEPTING THE PROPOSAL OF KIMMINS CONTRACTING, INC. PERTAINING TO CONTRACT 09-C-00020; RIVERWALK SEGMENT 10 - BROREIN STREET NUTRIENT SEPARATING BAFFLE BOX, FOR THE BASE BID IN THE AMOUNT OF \$142,962.00; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on April 28, 2009, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes for the construction of Riverwalk Segment 10 - Brorein Street Nutrient Separating Baffle Box, and recommends to this Council that the proposal of Kimmins Contracting Corp. be accepted, funds therefore being available in the appropriate account;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL  
OF THE CITY OF TAMPA, FLORIDA, THAT:

Section 1. The proposal of Kimmins Contracting Corp. in the total amount of \$142,962.00 for construction of the Riverwalk Segment 10 - Brorein Street Nutrient Separating Baffle Box, in accordance with plans, specifications and other related contract documents prepared by the Contract Administration Department, is hereby approved and accepted; and the Contract is hereby awarded to the said Contractor.

Section 2. This Resolution, which is not part of the contract documents, authorizes the Mayor to execute and the City Clerk to attest and affix the official seal of the City of Tampa to the Contract for and on behalf of the City of Tampa.

Section 3. Plans, specifications and contract documents for the construction of said Project, which documents are now on file in the office of the City Clerk of the City of Tampa, are hereby approved in their entirety or in substantially similar form.

Section 4. The Director of the Contract Administration Department is hereby authorized to issue, in written form only, work directive changes authorizing additions, deletions or revisions resulting from unforeseen conditions or emergencies, said directives to be incorporated in subsequently issued change orders approved by the City Council.

Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

Section 6. The bid security of the bidders shall be returned in accordance with the provisions of the contract documents for this project.

Section 7. The project construction costs in the amount of \$142,962.00 are provided in the City Budget for the Fiscal Year ending September 30, 2009, in Account No. ST50172EQ-06300.

Section 8. Other proper officers of the City of Tampa are authorized to do all things necessary and proper in order to carry out and make effective the provisions of this Resolution, which shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON JUN 04 2009.

  
CHAIRMAN/CHAIRMAN PRO TEM, CITY COUNCIL

Approved as to Legal Sufficiency by:  
Justin R. Vaske, Assistant City Attorney

ATTEST:

  
CITY CLERK/DEPUTY CITY CLERK

\*1% for Art: No

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