

RESOLUTION NO. 2009- 1141

**A RESOLUTION ACCEPTING THE PROPOSAL OF TITANIUM ENTERPRISES, INC. PERTAINING TO CONTRACT 09-C-00032; FIRE STATION 22 IMPROVEMENTS, FOR THE BASE BID IN THE AMOUNT OF \$1,418,000.00; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on August 18, 2009, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes for the construction of Fire Station 22 Improvements, and recommends to this Council that the proposal of Titanium Enterprises, Inc. 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 Titanium Enterprises, Inc. in the total amount of \$1,418,000.00 for construction of the Fire Station 22 Improvements, 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 \$1,418,000.00 are provided in the City Budget for the Fiscal Year ending September 30, 2010, in Account No(s). FD50354AU-06200.

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 NOV 19 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

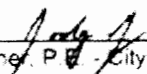
\*1% for Art:

12009-44

**CONTRACT 09-C-00032; FIRE STATION 22 IMPROVEMENTS**  
**Bid Tabulation - August 18, 2009; 1:30 P.M.**

CONTRACTOR	BASE BID
	This includes the furnishing of all labor, equipment, and material for the construction of a new 8,660 sq facility which includes stewart, parking lot apron, landscaping and irrigation utilizing Florida friendly materials, masonry exterior walls, pre fabricated trusses, metal roofing, cement plaster and thin stone finishes, HVAC including chiller with vav system, plumbing, electrical which includes minor photovoltaics, interior finishes with all associated work required for a complete project in accordance with Contract
Titanium Enterprise, Inc	\$1,418,000.00
LEMA Construction & Developers, Inc	\$1,489,889.00
Boran, Craig, Barber, Engel Construction Co, Inc	\$1,527,891.00
Bradanna, Inc.	\$1,534,000.00
Raun-Co Construction Service	\$1,538,000.00
Head Construction, LLC	\$1,540,000.00
Brooks & Freund, LLC	\$1,561,871.00
Pat Cook Construction	\$1,594,000.00
Bandes Construction Co., Inc.	\$1,616,000.00
R. Krueger Construction Co Inc	\$1,617,845.00
All Phase Construction & Development, LLC	\$1,618,455.57
Ocean Gate General contractors, Inc	\$1,619,000.00
Marcobay Construction, Inc	\$1,625,000.00
CRS Building Corporation	\$1,657,752.00
Energy Services & Products Corporation	\$1,685,612.20
Stamper Construction Co	\$1,709,000.00
Bollenback Builders Inc.	\$1,726,000.00
Ellis Construction Company, Inc	\$1,749,000.00
Morrisk Construction, Inc.	\$1,759,000.00
Suncoast Builders Development, Inc	\$1,828,000.00
Eveland Brothers, Inc	\$1,839,999.00
J. O. Deloto & Sons, Inc.	\$1,859,789.00
Gilbert & Sons Construction	\$1,899,701.00
The Torrey Company, Inc	\$1,950,000.00
Kenyon & Partners Inc	\$2,028,415.00
Warren Contractors & Development, Inc.	\$2,049,000.00
J2 Engineering, Inc	\$2,100,000.00

Bids Received By:

*for*  \_\_\_\_\_  
 Jim Greiner, P.E. - City of Tampa Contract Administration Dept



#1305  
TSR MSR ✓

## SLBE UTILIZATION & SOLICITATION EVALUATION REPORT

PROJECT: 9-C-00032 Fire Station Number 22 Improvements

BIDDER: Titanium Enterprises, Inc.

IS BIDDER A CERTIFIED SLBE: NO

BID AMOUNT: \$1,418,000.00

BID DATE: 8//18/09

SLBE PARTICIPATION IDENTIFIED from DMI Sched of Subcontractors to be Utilized	Estimated Amount	Actual Quote	Letter of Intent Submitted?
Plumline Contracting		\$134,200.00	NO
Llona Plumbing		\$92,672.00	NO
Carpet King Flooring		\$23,000.00	NO
Hector Delgado Electric		\$219,000.00	NO
Exceleron Inc. (1)	\$23,800.00		
(1) Company's certification is expired and, therefore, participation is not counted			
SLBE GOAL	30 %		

SLBE UTILIZATION ATTAINED: 33.1% TOTAL SLBE: \$468,872.00

REVISED SLBE PARTICIPATION (per letters of intent submitted 9/16/09)	Estimated Amount	Actual Quote	
Tovic Inc.		\$155,188.00	Submitted
Llona Plumbing		\$92,672.00	9/16/2009
Carpet King Flooring		\$21,800.00	"
Cajun Mechanical		\$182,656.00	"
Exceleron Inc. (1)	\$23,800.00		"
(1) Company's certification is expired and, therefore, participation is not counted			
SLBE GOAL	30 %		

SLBE UTILIZATION ATTAINED: 31.9% TOTAL SLBE: \$452,316.00

DID UTILIZATION ATTAINED MEET ESTABLISHED SLBE GOAL? YES

\*If Utilization DID NOT meet established Goal, proceed to Good Faith Evaluation Section.

**Comments:** Confirmed participation exceeds established goal and as such, good faith effort evaluation was not required. However, during the course of confirming participation (through requested letters of intent requested) some concerns and irregularities were disclosed that are addressed in Attachment A.

**Good Faith Effort Compliance Plan** for Small Local Business Subcontracting  
City of Tampa - Equal Business Opportunity Program

Contract Fire Station 22 Bid Date 8-18-09  
Bidder Titanium Enterprises Inc.  
Signature [Signature] Date 8-18-09  
Name Mark Gill Title President

The following Compliance Plan is a true report of Good Faith Efforts made to accomplish subcontracting goals for Small Local Business Enterprises, SLBEs, on the referenced contract:

The goal for SLBE participation has been met or exceeded. See the DMI form reporting subcontractors to be utilized.  
(Check Box, if appropriate; the remainder of the Compliance Plan need not be reported.)

The goal for SLBE participation has not been met. The following is a recap of Good Faith Efforts made:  
(Check applicable boxes below. Enclose additional documents, and/or add remarks below as needed.)

- (1) Soliciting through reasonable and available means the interest of SLBEs that have the capability to perform the work of the contract. The Bidder or Contractor must solicit this interest within sufficient time to allow the SLBEs to respond. The Bidder or Contractor must take appropriate steps to follow up initial solicitations with interested SLBEs.  See DMI report forms for subcontractors solicited.  See enclosed supplemental data on solicitation efforts.  Remarks:
- (2) Providing interested SLBEs with adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the solicitation.  See enclosed sample solicitation.  Remarks:
- (3) Negotiating in good faith with interested SLBEs that have submitted bids. Documentation of negotiation must include the names, addresses, and telephone numbers of SLBEs that were solicited; the date of each such solicitation; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why agreements could not be reached with SLBEs to perform the work. That there may be some additional costs involved in soliciting and using SLBEs is not a sufficient reason for a contractor's failure to meet the goals, as long as such costs are reasonable. Bidders are not required to accept higher quotes in order to meet the goal.  DMI subcontractor-utilized forms reflect successful negotiations.  This project is of a low-bid nature and negotiations are limited to clarifications of scope and specifications.  See enclosed document.  Remarks:
- (4) Not rejecting SLBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The SLBEs standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations are not legitimate causes for rejecting or not soliciting bids to meet the goals.  Not applicable.  See attached explanation for rejection of a low-bidding subcontractor's bid.  Remarks:
- (5) Making a portion of the work available to SLBE subcontractors and suppliers and to select those portions of the work or material consistent with the available SLBE subcontractors and suppliers, so as to facilitate meeting the goal.  Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion.  See enclosed comments.  Remarks:
- (6) Making good faith efforts, despite the ability or desire of a Bidder or Contractor to perform the work of a contract with its own organization. A Bidder or Contractor who desires to self-perform the work of a contract must demonstrate good faith efforts unless the goal has been met.  Sub-Contractors were not prohibited from submitting bids on work not usually sub-contracted.  Remarks:
- (7) Selecting portions of the work to be performed by SLBEs in order to increase the likelihood that the goals will be met. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate SLBE participation, even when the Bidder or Contractor might otherwise prefer to perform these work items with its own forces.  Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion.  Sub-Contractors were not prohibited from submitting bids on work not usually sub-contracted.  See enclosed comments.  Remarks:
- (8) Making efforts to assist interested SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or contractor.  See enclosed sample solicitation.  See enclosed document.  Remarks:
- (9) Making efforts to assist interested SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in a City-sponsored mentor-protégé program.  See enclosed sample solicitation.  See enclosed document.  Remarks:
- (10) Effectively using the services of the City and other organizations that provide assistance in the recruitment and placement of SLBEs.  See enclosed document.  The following services were used:

Other Supporting Good Faith Efforts:  See enclosed document.  Remarks:

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