

Bid

RESOLUTION NO. 2013- 959

**A RESOLUTION ACCEPTING THE PROPOSAL OF MECHANICAL INDUSTRIAL SERVICES, INC. PERTAINING TO CONTRACT 12-C-00042; HOWARD F. CURREN AWTP RAW SEWAGE PUMPING STATION IMPROVEMENTS, IN THE AMOUNT OF \$2,090,964; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on October 29, 2013, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Howard F. Curren AWTP Raw Sewage Pumping Station Improvements, and recommends to this Council that the proposal of Mechanical Industrial Services, 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 Mechanical Industrial Services, Inc. in the total amount of \$2,090,964 for construction of the Howard F. Curren AWTP Raw Sewage Pumping Station 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 Contract Administration Department 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.

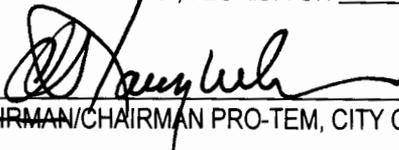
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

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 \$2,090,964 are provided in the City Budget for the Fiscal Year ending September 30, 2014, in the Wastewater Capital Construction Fund Account.

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 DEC 19 2013.

  
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

1/2013-48

**City of Tampa**  
**BID TABULATION**  
**12-C-00042; Howard F. Curren AWTP Raw Sewage Pumping Station**  
**Improvements**  
**Bid Opening - November 12, 2013**

<b>CONTRACTOR</b>	<b>TOTAL BID AMOUNT</b>
Mechanical Industrial Services, Inc	\$2,090,964.00
Wharton-Smith, Inc	\$2,102,000.00
Gonzales & Sons Equipment, Inc	\$2,105,600.00
TLC Diversified, Inc	\$2,210,700.00
Westra Construction Corp	\$2,255,000.00
RTD Construction, Inc	\$2,333,740.00

Notice of Intent to Award: Unless subsequently indicated otherwise, in a revised posting, the City of Tampa intends to award the referenced project to the lowest bidder listed in this tabulation. A bidder aggrieved by this decision may file a protest not later than 4:30 P.M., five (5) business days from the first posting hereof, pursuant to City of Tampa Code Chapter 2, Article V, Division 3, Section 2-282, Procurement Protest Procedures. Protests not conforming therewith shall not be reviewed.

Bids Received By: *Jim Greiner*

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Jim Greiner, P.E.  
City of Tampa - Contract Administration Department  
306 E. Jackson Street - 4N  
Tampa, FL 33602

AL6

Contract 12-c-00042; Howard F. Curren AWTP Raw Sewage Pumping Station Improvements

PROPOSAL

To the Mayor and City Council of the City of Tampa, Florida:

Name of Bidder Mechanical Industrial Services Inc.

813-247-2868 mis@tampabay-fl.com  
Business Phone Number and Email Address

Mechanical Industrial Services Inc - PO Box 75241, Tampa FL 33675  
Business Name and Mailing Address

Carl Adkins  
Phone Number and Name of Contact Regarding Permits

59-3514756  
Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal 11-12-13

(If Bidder is a firm, fill in the following blanks):

Names and Residential Addresses of Partners

\_\_\_\_\_  
\_\_\_\_\_

(If Bidder is a corporation, fill in the following blanks):

Organized under the laws of the State of Florida

Names and Address of President

Carl Adkins  
PO Box 75241, Tampa, FL 33675

Name and Address of Vice President

Carl Adkins  
PO Box 75241, Tampa FL 33675

Name and Address of Secretary

Carl Adkins  
PO Box 75241 Tampa FL 33675

Names and Address of Treasurer

Carl Adkins  
PO Box 75241 Tampa FL 33675

Contract 12-c-00042; Howard F. Curren AWTP Raw Sewage Pumping Station Improvements

The above-named Bidder affirms and declares:

- (1) That the Bidder is of lawful age and that no other person, firm or corporation has any interest in this Proposal or in the Contract proposed to be entered into.
- (2) That this Proposal is made without any understanding, agreement or connection with any other person, firm, or corporation making Proposal for the same purposes, and is in all respects fair and without collusion or fraud.
- (3) That the Bidder is not in arrears to the City of Tampa, upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the City of Tampa.
- (4) That no officer or employee or person whose salary is payable in whole or in part from the City Treasury is, shall be or become interested, directly or indirectly, as a contracting party, partner, stockholder, surety or otherwise, in this Proposal, or in the performance of the Contract, or in the supplies, materials, or equipment and work or labor to which it relates, or in any portion of the profits thereof.
- (5) That the Bidder has carefully examined the site of the work and that, from his own investigations, he has satisfied himself as to the nature and location of the work, the character, quality, and quantity of materials and the kinds and extent of equipment and other facilities needed for the performance of the work, the general and local conditions and all difficulties to be encountered, and all other items which may, in any way, affect the work or its performance.

- (6) That the Bidder

Has; Treasury Number \_\_\_\_\_

Has not  
(Check applicable box)

previously performed work under the President's Executive Order Nos. 11246 and 11375.

- (7) That the undersigned, as Bidder, also declares that he has carefully examined and fully understands all the component parts of the Contract Documents and agrees that he will execute the Contract and finish the required Performance Bond and will completely perform the work in strict accordance with the terms of the Contract and the Contract Documents therein referred to for the following prices, to wit:

Contract 12-c-00042; Howard F. Curren AWTP Raw Sewage Pumping Station Improvements

Contract Item No.	Estimated Quantity	Description and Price in Words	Computed Total Price for Item in Figures
BASE BID	LS	The work includes the furnishing of all labor, equipment, and material for the bypassing pumping station wastewater flows, partial removal of the pumping station concrete top slab, demolishing concrete structures in the wet well, control panels and enclosures, station piping, pumps & valves; installation of mechanical bar screen and screenings' washing compactor, concrete driveway, roof structure, two new submersible pumps, hdpe piping, valves, controls, electrical, instrumentation, telecommunications, any Contingency Allowances that may be listed in Section SP-60, and with all associated work required for a complete project in accordance with the Contract Documents.	

*Two Million, Ninety Thousand, Nine Hundred Sixty Four*

\_\_\_\_\_ dollars

and zero cents

(BASE BID) LS

\$2,090,964.00

Contract 12-c-00042; Howard F. Curren AWTP Raw Sewage Pumping Station Improvements

Computed Total Price In Words:

Two Million Nine Hundred Sixty Four  
dollars and zero cents.

Computed Total Price in Figures: \$ 2,090,964.00

The bidder acknowledges that the following addenda have been received and that the changes covered by the addendum(s) have been taken into account in this proposal: #1  #2  #3  #4  #5 .

The bidder acknowledges the requirements of the City of Tampa's Equal Business Opportunity Program.

Bidder acknowledges that included in the various items of the proposal and the Total Bid Price are costs for complying with the Florida Trench Safety Act (90096), (Laws of Fla.) effective October 1, 1990. The bidder further identifies the costs to be summarized below:

	Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost
A.	<u>Open Cut</u>	<u>10 cu yds</u>	<u>lump sum</u>	<u>\$500.00</u>	<u>\$500.00</u>
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____

Total Cost \$ 500.00

Signed Carl Adkins

Failure to complete the above may result in the bid being declared non-responsive.

Contract 12-c-00042; Howard F. Curren AWTP Raw Sewage Pumping Station Improvements

Accompanying this Proposal is a certified check, cashier's check or Bid Bond (form included herein must be used) on the form at least five (5) percent of the total amount of the Proposal which check shall become the property of the

FCCI Insurance Company of Sarasota, Florida  
(Name of Bank or Surety) (City & State)

City of Tampa, or which bond shall become forthwith due and payable to the City of Tampa, if this Proposal shall be accepted by the City of Tampa and the undersigned shall fail to execute a contract with and to furnish the required Performance Bond and Payment Bond to the City of Tampa within twenty (20) days after the date of receipt of written Notice of Award by the City of Tampa to the undersigned so to do.

Dated November 12, 2013

Mechanical Industrial Services Inc  
(Name of Bidder)

PO Box 75241 Tampa FL 33675  
(Address of Bidder)

Carl Adkins  
(Signature)

President  
(Title)

Where Bidder is a Corporation:

Attest:

\_\_\_\_\_  
Secretary

AFFIX  
CORPORATE  
SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

For a Corporation:

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 12 of November, 2013 by Carl Adkins of Meacham & Sevian, a FLA corporation, on behalf of the corporation. He/she is personally known or has \_\_\_\_\_ produced \_\_\_\_\_ as identification.

Robin Lane  
Notary



**ROBIN LANE**  
MY COMMISSION # EE 206325  
EXPIRES: August 24, 2016  
Bonded Thru Budget Notary Services

My Commission Expires:  
August 24, 2016

For an Individual:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ of \_\_\_\_\_, 2013 by \_\_\_\_\_ who is \_\_\_ personally known to me or has \_\_\_ produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary

My Commission Expires:  
\_\_\_\_\_

For a Firm:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ of \_\_\_\_\_, 2013 by \_\_\_\_\_ who signed on behalf of the said firm. He/she is \_\_\_ personally known or has \_\_\_ produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary

My Commission Expires:  
\_\_\_\_\_  
\_\_\_\_\_

TAMPA BID BOND  
Contract 12-c-00042; Howard F. Curren AWTP Raw Sewage Pumping Station Improvements

KNOW ALL MEN BY THESE PRESENTS, that we, Mechanical Industrial Services, Inc.

(hereinafter called the Principal) and FCCI Insurance Company

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of Florida, with its principal offices in the City of Sarasota, and authorized to do business in the State of Florida, are held and firmly bound unto the City of Tampa, a Municipal Corporation of Hillsborough County, Florida, in the full and just sum of 5% of the amount of the (Bid) (Proposal) good and lawful money of the United States of America, to be paid upon demand of the City of Tampa, Florida, to which payment will and truly to be made we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally and firmly these presents.

WHEREAS, the Principal is about to submit, or has submitted to the City of Tampa, Florida, a Proposal for the construction of certain facilities for the City designated Contract 12-c-00042, Howard F. Curren AWTP Raw Sewage Pumping Station Improvements.

WHEREAS, the Principal desires to file this Bond in accordance with law, in lieu of a certified Bidder's check otherwise required to accompany this Proposal.

NOW, THEREFORE: The conditions of this obligation are such that if the Proposal be accepted, the Principal shall, within twenty (20) days after the date of receipt of written Notice of Award, execute a contract in accordance with the Proposal and upon the terms, conditions and price set forth therein, in the form and manner required by the City of Tampa, Florida and execute a sufficient and satisfactory Performance Bond and Payment Bond payable to the City of Tampa, Florida in an amount of one hundred percent (100%) of the total contract price, in form and with security satisfactory to said City, then this Bid Bond obligation is to be void; otherwise to be and remain in full force and virtue in law, and the Surety shall, upon failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the aforesaid City, upon demand, the amount thereof, in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

IN TESTIMONY THEREOF, the Principal and Surety have caused these presents to be duly signed and sealed this 11th day of November, 2013.

Principal

Mechanical Industrial Services, Inc.  
BY Carl Adkus  
TITLE Carl Adkus - President  
BY Trevor McCarthy  
TITLE Trevor McCarthy Attoreny-in-Fact

Countersigned:  
(SEAL)

Trevor McCarthy  
Local Resident Producing Agent

11470 N 53rd Street, Temple Terrace, FL 34240  
Local Resident Producing Agent's Address

Associates Agency Inc  
Name of Local Agency

The addition of such phrases as "not to exceed" or like import shall render the (Bid) (Proposal) non-responsive.



### GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Michael Rogers; Jason Farquhar; Jennifer A Fava; Trevor McCarthy;  
Barry Ryan; Charlie Salyer; Sharon E Taylor; Tracy E Todd

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$2,500,000): **\$2,500,000.00**

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 22<sup>ND</sup> day of September, 2011.

Attest: Craig Johnson  
Craig Johnson, President  
FCCI Insurance Company



Thomas A. Koval  
Thomas A. Koval Esq., SVP, General Counsel,  
Government Affairs and Corporate Secretary  
FCCI Insurance Company

State of Florida  
County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2016

**ARLENE CUEMAN**  
Notary Public, State of Florida  
My Comm. Expires Sept. 25, 2016  
No. EE 213092

Arlene Cueman  
Notary Public

State of Florida  
County of Sarasota

Before me this day personally appeared Thomas A. Koval, Esq., who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2016

**ARLENE CUEMAN**  
Notary Public, State of Florida  
My Comm. Expires Sept. 25, 2016  
No. EE 213092

Arlene Cueman  
Notary Public

### CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 11<sup>TH</sup> day of NOVEMBER, 2013

Thomas A. Koval  
Thomas A. Koval, Esq., SVP, General Counsel,  
Government Affairs and Corporate Secretary



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

*Ramping Station Improvements*

Contract 12-C-00042 Howard F. Curren Award Paul Searge Bid Date 11-12-13  
Bidder Mechanico Ty Australia Services Inc  
Signature Paul Adams Date 11-12-13  
Name Carl Adams 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:

GFCEP



**Page 3 of 4DMI - Solicited/Utilized  
City of Tampa -DMI Schedule of Sub-(Contractors/Consultants/Suppliers) to be Utilized**

**(FORM MBD-20)**

Contract No.: 12-C-00042 Contract Name: HFCRWP Raw Sewage Pump Station  
 Contractor Name: Mechanical Ltd Services Address: PO Box 5521 Tampa FL  
 Federal ID: 583574756 Phone: 8132422808 Fax: 8132412031 Email: MIS@tampabay.fl.gov

- See attached documents.  
 No Subcontracting (of any kind) will be performed on this contract.

NIGP Code General Categories: Buildings = 909, General = 912, Heavy = 913, Trades = 914, Architects = 906, Engineers & Surveyors = 925, Supplier = 912-77

**This DMI Schedule Must Be Submitted with the Bid or Proposal (Do Not Modify This Form)**

Enter "S" for firms Certified as Small Local Business Enterprises, "W" for firms Certified as Women/Minority Business Enterprise

S = SLBE W=WMBE	Company Name Address Phone & Fax	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic Am. AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade, Services, or Materials  NIGP Code Listed above	Amount of Quote. Letter of Intent if available.	Percent of Scope/Contract %
	Hydro-Ryne 401 Douglas Rd E 9138180777		Vendor	300,000	15%
	Fluor - Xylem 2153 Sprint Blvd Apollo 407-880-2200		Vendor	550,000	27%
	Advanced Energy Solutions 16512 N Florida Ave 813 969 1576		Trade Electrical	275,000	14%
	National Pump		Vendor	25,000	1%
S	Terrell Industries 2067 1st Ave 727823 4424		Vendor	313,645.00	15%

Total Subcontract/Supplier Utilization \$ 1,463,645.00

Total SLBE Utilization \$ 313,645.00

Total WMBE Utilization \$ \_\_\_\_\_

Percent SLBE Utilization of Total Bid/Proposal Amt. 15% Percent WMBE Utilization of Total Bid/Proposal Amt. 0%

It is hereby certified that the following information is a true and accurate account of utilization for sub-contracting opportunities on this contract. This form must be completed and submitted with the bid or proposal. Modifying or failing to sign DMI forms may result in Non-Compliance and/or deemed non-responsive.

Signed: Carl Adkins Name/Title: Carl Adkins - President Date: 11-12-13

MBD 20 rev-02/01/13

**Note: Detailed Instructions for completing this form are on the next page.**