

Bid

RESOLUTION NO.-2013- 964

**A RESOLUTION ACCEPTING THE PROPOSAL OF MDH ENTERPRISES, D.B.A. ELECTRICAL SOLUTIONS PERTAINING TO CONTRACT 14-C-00003; DOWNTOWN GATEWAY LIGHTING IMPROVEMENTS AT NORTH FRANKLIN STREET AND JEFFERSON/ORANGE STREET AT I-275 - SHELTERED MARKET, IN THE AMOUNT OF \$224,998; 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 Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market, and recommends to this Council that the proposal of MDH Enterprises, Inc., d.b.a. Electrical Solutions 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 MDH Enterprises, Inc., d.b.a. Electrical Solutions in the total amount of \$224,998 for construction of the Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market, 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 \$224,998 are provided in the City Budget for the Fiscal Year ending September 30, 2014, in the Community Investment Tax Capital Projects 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: Yes

1/2013-49

**City of Tampa  
BID TABULATION**

**Contract 14-C-00003; Downtown Gateway Lighting Improvements at North  
Franklin Street and Jefferson/Orange Street at I-275 – Sheltered Market  
Bid Opening - October 29, 2013**

Posted October 29, 2013

<b>CONTRACTOR</b>	<b>TOTAL BID AMOUNT</b>
MDH Enterprises, Inc	\$224,998.00
Nelco Development, Co	\$264,000.00
Tamco Electric, Inc	\$265,000.00
Flores & Harper Construction, Co	\$319,000.00

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*

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

ALB

Contract 14-C-00003; Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market

PROPOSAL

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

Name of Bidder MDH Enterprises, Inc. d.b.a. Electrical Solutions

Business Phone Number and Email Address

386-789-2672 / info@my-es.com

Business Name and Mailing Address

Electrical Solutions / 281 C Street, Orange City, FL 32763

Phone Number and Name of Contact Regarding Permits

386-789-2672 / Matize Hoskins

Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal 10/29/13

(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

Matize D. Hoskins

281 C Street, Orange City, FL 32763

Name and Address of Vice President

Danyel B. Hoskins

281 C Street, Orange City, FL 32763

Name and Address of Secretary

Danyel B. Hoskins

281 C Street, Orange City, FL 32763

Names and Address of Treasurer

Danyel B. Hoskins

281 C Street, Orange City, FL 32763

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 \_\_\_\_\_  
XXXX 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 14-C-00003; Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market

Contract Item No.	Estimated Quantity	Description and Price in Words	Computed Total Price for Item in Figures
BASE BID	LS	<p>The work includes the furnishing of all labor, equipment, and material for the new LED lighting in existing landscaping beds along with wiring to be pulled through existing conduit, new conductors, contactors, electric panels and weatherproof enclosure(s) with connections to lighting and irrigation controllers, any Contingency Allowances that may be listed in Section 01020, and with all associated work required for a complete project in accordance with the Contract Documents.</p> <p>Two Hundred Twenty Four Thousand</p> <hr/> <p>Nine Hundred Ninety Eight dollars</p> <hr/> <p>and <u>no</u> cents</p>	<p><u>\$ 224,998.00</u></p>
(BASE BID)	LS		

Contract 14-C-00003; Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market

Computed Total Price In Words:

**Two Hundred Twenty Four Thousand, Nine Hundred Ninety Eight**

\_\_\_\_\_ dollars and no cents.

Computed Total Price in Figures: \$ 224,998.00

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 X #2 X #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>N/A</u>	_____	_____	_____	_____
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____
				Total Cost \$	<u>N/A</u>

Signed 

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

Contract 14-C-00003; Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market

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

CNA Surety of Chicago, IL  
(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 October 29th, 2013

MDH Enterprises, Inc. d.b.a. Electrical Solutions  
(Name of Bidder)

281 C Street Orange City, FL 32763  
(Address of Bidder)

 Matize Hoskins  
(Signature)

President  
(Title)

Where Bidder is a Corporation:

Attest:  
 Danyel Hoskins  
Secretary

AFFIX  
CORPORATE  
SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF Florida )  
COUNTY OF Volusia ) SS:

For a Corporation:

STATE OF Florida  
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 28 of October, 2013 by Matize Hoskins of MDH Enterprises, Inc, a Florida corporation, on behalf of the corporation. He/she is \_\_\_ personally known or has  produced FL License as identification.

Cathy Flores  
Notary  
My Commission Expires: \_\_\_\_\_  


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 14-C-00003; Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market

KNOW ALL MEN BY THESE PRESENTS, that we, MDH ENTERPRISES INC DBA:  
ELECTRICAL SOLUTIONS MATIZE HOSKINS

(hereinafter called the Principal) and AUTO OWNERS 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 LANSING, MI, 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 14-C-00003, Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 - Sheltered Market.

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 28<sup>TH</sup> day of OCTOBER, 2013.

Principal

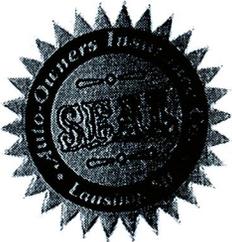


BY MATIZE HOSKINS

TITLE PRESIDENT - MDH ENTERPRISES

BY \_\_\_\_\_

TITLE \_\_\_\_\_





Local Resident Producing Agent

Mary Ann Pientka Agent A207067

321 Stratford Commons Ct

Local Resident Producing Agent's Address

Deltona, FL 32725

Mel Himes & Associates

Name of Local Agency

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

DATE AND ATTACH TO ORIGINAL BOND  
AUTO-OWNERS INSURANCE COMPANY  
LANSING, MICHIGAN  
POWER OF ATTORNEY

NO. BD136124

KNOW ALL MEN BY THESE PRESENTS: That the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN, a Michigan Corporation, having its principal office at Lansing, County of Eaton, State of Michigan, adopted the following Resolution by the directors of the Company on January 27, 1971, to wit:

"RESOLVED, That the President or any Vice President or Secretary or Assistant Secretary of the Company shall have the power and authority to appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity, and other writings obligatory in the nature thereof. Signatures of officers and seal of Company imprinted on such powers of attorney by facsimile shall have same force and effect as if manually affixed. Said officers may at any time remove and revoke the authority of any such appointee."

Does hereby constitute and appoint MARY A PIENKA

its true and lawful attorney(s)-in-fact, to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and the execution of such instrument(s) shall be as binding upon the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

IN WITNESS WHEREOF, the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN, has caused this to be signed by its authorized officer this 2nd day of November, 2012

Kenneth R. Schroeder

Senior Vice President

STATE OF MICHIGAN } ss.  
COUNTY OF EATON }

On this 2nd day of November, 2012, before me personally came Kenneth R. Schroeder, to me known, who being duly sworn, did depose and say that they are Kenneth R. Schroeder, Senior Vice President of AUTO-OWNERS INSURANCE COMPANY, the corporation described in and which executed the above instrument, that they know the seal of said corporation, that the seal affixed to said instrument is such Corporate Seal, and that they received said instrument on behalf of the corporation by authority of their office pursuant to a Resolution of the Board of Directors of said corporation.



My commission expires January 1st, 2014

Amanda Lamp

Notary Public

STATE OF MICHIGAN } ss.  
COUNTY OF EATON }

I, the undersigned First Vice President, Secretary and General Counsel of AUTO-OWNERS INSURANCE COMPANY, do hereby certify that the authority to issue a power of attorney as outlined in the above board of directors resolution remains in full force and effect as written and has not been revoked and the resolution as set forth are now in force.

Signed and sealed at Lansing, Michigan. Dated this 28th day of October, 2013



William F. Woodbury, First Vice President, Secretary and General Counsel



# *Certification*

as Women or Minority  
Business Enterprise

***MDH Enterprises, Inc.***

***Federal Number 55-0849332***

has been reviewed and identified as W/MBE with the City of Tampa Government

***Class - African American Female Valid from 10/23/2013 to 10/23/2015 Certificate Number 1761***

Certification is Applicable in:  
***Electrical Contractor***

***Reciprocal: Hillsborough County***

In accordance with the City of Tampa Ordinance 2008-89 your certification is accepted by the City of Tampa. Prior to expiration, you will need to show proof of your renewed certification with this agency in order to maintain your certification with the City of Tampa.

  
Gregory K. Hart, AED Manager  
Minority & Small Business Development Office

**Good Faith Effort Compliance Plan**  
for Women/Minority Business Enterprise/Small Local Business Subcontracting  
City of Tampa - Equal Business Opportunity Program  
(MBD Form 50)

**Contract** 14-C-00003; Downtown Gateway Lighting Improvements at North Franklin Street and Jefferson/Orange Street at I-275 **Bid Date** 10/29/13  
**Bidder** MDH Enterprises, inc. d.b.a. Electrical Solutions  
**Signature** *Matize Hoskins* **Date** 10/29/13  
**Name** Matize Hoskins **Title** President

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

The goal for WMBE/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 WMBE/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 WMBE/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 WMBE/SLBEs to respond. The Bidder or Contractor must take appropriate steps to follow up initial solicitations with interested WMBE/SLBEs.  See DMI report forms for subcontractors solicited.  See enclosed supplemental data on solicitation efforts.  Remarks:
- (2) Providing interested WMBE/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 WMBE/SLBEs that have submitted bids. Documentation of negotiation must include the names, addresses, and telephone numbers of WMBE/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 WMBE/SLBEs to perform the work. That there may be some additional costs involved in soliciting and using WMBE/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 WMBE/SLBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The WMBE/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 WMBE/SLBE subcontractors and suppliers and to select those portions of the work or material consistent with the available WMBE/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 WMBE/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 WMBE/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 WMBE/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 WMBE/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 WMBE/SLBEs.  See enclosed document.  The following services were used:

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

