

Bid

RESOLUTION NO. 2015- 502

A RESOLUTION ACCEPTING THE PROPOSAL OF RTD CONSTRUCTION, INC. PERTAINING TO CONTRACT 14-C-00016; BLUE SINK MFL PUMPING STATION, IN THE AMOUNT OF \$2,556,943; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 7, 2015, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Blue Sink MFL Pumping Station, and recommends to this Council that the proposal of RTD Construction, 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 RTD Construction, Inc. in the total amount of \$2,556,943 for construction of the Blue Sink MFL Pumping Station, 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.

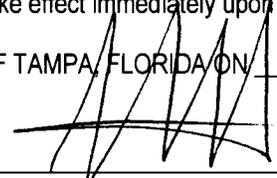
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

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. Funding for award of a contract for construction services is provided in the amount of \$2,556,943 for the Blue Sink MFL Pumping Station Project within the Water Grant Fund.

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 25 2015.



CHAIRMAN/CHAIRMAN PRO-TEM, CITY COUNCIL

APPROVED AS TO LEGAL SUFFICIENCY BY:
Rachel S. Peterkin, Assistant City Attorney

ATTEST:


CITY CLERK/DEPUTY CITY CLERK

*1% for Art:

42015-21

**City of Tampa
BID TABULATION**

Contract 14-C-00016; Blue Sink MFL Pumping Station

Bid Opening - April 07, 2015

Posted April 07, 2015

CONTRACTOR	TOTAL BID AMOUNT
RTD Construction, Inc	\$2,556,943.00
Westra Construction, Corp	\$2,772,000.00
Wharton-Smith, Inc	\$2,892,000.00

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

ORIGINAL

ALB

Contract 14-C-00016; Blue Sink MFL Pumping Station

PROPOSAL

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

Name of Bidder RTD Construction, Inc.

813-783-9119 & dj@rtdconstruction.com

Business Phone Number and Email Address

RTD Construction, Inc.-38038 North Avenue, Zephyrhills, FL. 33542

Business Name and Mailing Address

813-783-9119 & Dannie E. Jordan

Phone Number and Name of Contact Regarding Permits

CGC060736 & 59-3223426 ← Dannie Earl Jordan

Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal April 7th, 2015

(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

Dannie E. Jordan-38038 North Avenue, Zephyrhills, FL. 33542

Name and Address of Vice President

Rusty A. Haughn-38038 North Avenue, Zephyrhills, FL. 33542

Tony Jordan-38038 North Avenue, Zephyrhills, FL. 33542

Name and Address of Secretary

Julie Jordan-38038 North Avenue, Zephyrhills, FL. 33542

Names and Address of Treasurer

Julie Jordan-38038 North Avenue, Zephyrhills, FL. 33542

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:

Item No.	Description	Unit	Approx. Quantity	Unit Price in Words	Unit Price	Total Computed Price
1	Furnish all labor, materials and equipment to build a new 2 mgd pumping station with two raw water pumps and vacuum priming system, with all associated electrical and instrumentation controls, in addition to two floating intake structures with suction pipes from the Sink to the new pumping station, a new water discharge main from the pumping station to the Sink, a raw water crossing of Blue Sink, sanitary sewer, water service and all appurtenant work shown on the plans, specified or required for a complete project.	L.S.	1	Two million three hundred forty three thousand four hundred sixty three	\$	2,374,943.00
2A	Allowance for all Cost in Aid to Construction (CIAC) for coordination with TECO	L.S.	1	Fifty Thousand Dollars and No/Cents	\$ 50,000.00	50,000.00
2B	Allowance for all Coordination with Brighthouse Networks	L.S.	1	Twenty Thousand Dollars and No/Cents	\$ 20,000.00	20,000.00
2C	Allowance for Payment of Water Department Commitment Letter Fees	L.S.	1	One Thousand Dollars and No/Cents	\$ 1,000.00	1,000.00
2D	Allowance for Payment of Wastewater Department Commitment Letter Fees	L.S.	1	One Thousand Dollars and No/Cents	\$ 1,000.00	1,000.00
3	Allowance for Various Permit Fees	L.S.	1	Ten Thousand Dollars and No/Cents	\$ 10,000.00	10,000.00
4	Contingency	L.S.	1	One Hundred Thousand Dollars and No/Cents	\$ 100,000.00	100,000.00
				TOTAL:	\$	2,556,943.00

Computed Total Price In Words:

Two million, five hundred fifty six, nine hundred forty three dollars and zero cents.

Computed Total Price in Figures: \$ 2,556,943⁰⁰

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>Sloping</u>	<u>LF</u>	<u>100</u>	<u>5.00</u>	<u>\$ 500.00</u>
B.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
C.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
D.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Total Cost \$ 500.00

Signed Dannie E. Jordan
Dannie E. Jordan, President

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

Contract 14-C-00016; Blue Sink MFL Pumping Station

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

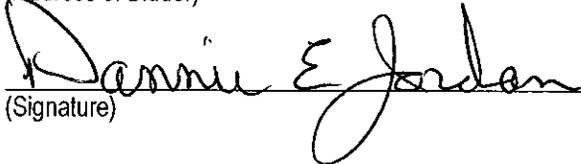
Westfield Insurance Company of Westfield Center, OH.
(Name of Bank or Surety) (City & State)

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 April 7th, 2015

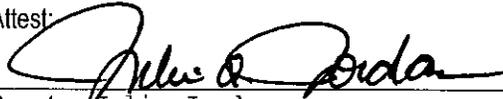
RTD Construction, Inc.
(Name of Bidder)

38038 North Avenue, Zephyrhills, FL. 33542
(Address of Bidder)


(Signature)

Dannie E. Jordan, President
(Title)

Where Bidder is a Corporation:

Attest: 
Secretary Julie Jordan

AFFIX
CORPORATE
SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF _____)
) SS:
COUNTY OF _____)

For a Corporation:

STATE OF Florida
COUNTY OF Pasco

The foregoing instrument was acknowledged before me this 7th of April, 2015 by Dannie E. Jordan of RTD Construction, Inc., a FL. corporation, on behalf of the corporation. He/she is personally known or has _____ produced N/A as identification.

Melinda Lindsay
Notary



My Commission Expires:

For an Individual:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ of _____, 2015 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 _____, 2015 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-00016, Blue Sink MFL Pumping Station,

KNOW ALL MEN BY THESE PRESENTS, that we, _____

RTD Construction, Inc.

(hereinafter called the Principal) and Westfield Insurance Company

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of OHIO, with its principal offices in the City of Westfield Center, OH, 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 Contract 14-C-00016, Blue Sink MFL Pumping Station

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 7th day of April, 2015

Principal

RTD Construction, Inc.

BY

Dannie E. Jordan, President

Westfield Insurance Company

BY

Leslie M. Donahue, Attorney-in-Fact and FL Lic. Resident Agent

Countersigned:
(SEAL)

Leslie M. Donahue
Local Resident Producing Agent

620 N. Wymore Rd. Ste 200, Maitland, FL 32751
Local Resident Producing Agent's Address

Florida Surety Bonds, 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

POWER NO. 0990992 00

**Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.**
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
DON BRAMLAGE, JEFFREY W. REICH, LESLIE M. DONAHUE, SUSAN L. REICH, PATRICIA L. SLAUGHTER, GLORIA A. RICHARDS, TERESA L. DURHAM, CHERYL FOLEY, LISA ROSELAND, JOINTLY OR SEVERALLY

of MAITLAND and State of FL Its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in Its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by Its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be It Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 21st day of MARCH A.D., 2014 .

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By: *Dennis P. Baus*

Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio
County of Medina ss.:

On this 21st day of MARCH A.D., 2014 , before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik

David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 7th day of April A.D., 2015



Frank A. Carrino Secretary
Frank A. Carrino, Secretary



CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

Minority and Small Business Development

DATE: June 5, 2015

TO: James Jackson, Contract Administration Department.

FROM: Gregory K. Hart, MBD Manager

RE: SLBE/WMBE Utilization & Solicitation Evaluation

PROJECT: 14-C-00016: Blue Sink MFL Pumping Station

LOW BIDDER: RTD Construction, Inc.

BID AMOUNT: \$2,556,943.00

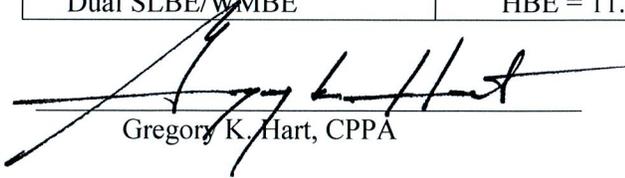
SLBE/Underutilized-WMBE Subcontract Goal: 30.0%
SLBE/U-WMBE Goal Attainment: 11.3%
Good Faith Effort Compliance: SUFFICIENT

The Minority and Small Business Development Office evaluated the Good Faith Effort Compliance Plan (GFCEP) submitted by RTD Construction, Inc. and determined they complied with the requirements of the Equal Business Opportunity Ordinance by having performed meaningful action steps to solicit SLBE/U-WMBE participation commensurate with the goal. The project-specific goal was calculated on the basis of twelve (12) subcontractable trade areas where the requisite available certified firms were identified from the availability pool of one hundred twenty-four (124) firms. Four (4) certified subcontractors submitted quotes. The detailed Compliance Report is attached and should be made a part of the project file.

Compliance Statement: Total SLBE/U-WMBE participation is 11.3%, of which 11.3% represents HBE.

Overall SLBE/WMBE Subcontract Participation

Certification Type	Classification	Totals
Dual SLBE/WMBE	HBE = 11.3%	11.3%



Gregory K. Hart, CPPA

GKH:/GKS
Attachment

Cc: City Attorney (w/a)
Transportation Department (w/a)

306 E. Jackson St., 5N • Tampa, Florida 33602 • (813) 274-5522 • FAX: (813) 274-5544