

Bid

RESOLUTION NO. 2014- 123

**A RESOLUTION ACCEPTING THE PROPOSAL OF TANK REHAB.COM, LLC. PERTAINING TO CONTRACT 14-C-00018; WEST TAMPA ELEVATED WATER STORAGE TANK REFURBISHMENT, IN THE AMOUNT OF \$443,000; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on January 28, 2014, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of West Tampa Elevated Water Storage Tank Refurbishment, and recommends to this Council that the proposal of Tank Rehab.com, LLC. 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 Tank Rehab.com, LLC. in the total amount of \$443,000 for construction of the West Tampa Elevated Water Storage Tank Refurbishment, 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 \$443,000 are provided in the City Budget for the Fiscal Year ending September 30, 2014, within the Water Renewal and Replacement 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 MAR 06 2014.

  
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

V7114-9

**City of Tampa**  
**BID TABULATION**  
**Contract 14-C-00018; West Tampa Elevated Water Storage Tank**  
**Refurbishment**  
**Bid Opening - January 28, 2014**  
Posted January 28, 2014

<b>CONTRACTOR</b>	<b>TOTAL BID AMOUNT</b>
Tank Rehab.com, LLC	\$443,000.00
Utility Service, Co., Inc	\$468,800.00
Caldwell Tanks, Inc	\$518,400.00
Tank Pro, Inc	\$498,408.00
Razorback, LLC	\$496,694.00
Worth Contracting, Inc	\$458,500.00
Classic Protective Coatings, Inc	\$589,750.00

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-00018; West Tampa Elevated Water Storage Tank Refurbishment

PROPOSAL

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

Name of Bidder Tom Donovan

888-673-8265 tom@tankrehab.com  
Business Phone Number and Email Address

TankRehab.com LLC., 2030 E. Adams St. Jacksonville FL 32202  
Business Name and Mailing Address

904-608-6149 Tom Donovan  
Phone Number and Name of Contact Regarding Permits

Tom Donovan 20-4239990  
Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal 1-28-14

(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

Tom Donovan  
774 Cherry Grove Rd. Orange Park FL 32073

Name and Address of Vice President

— (Single member LLC.)

Name and Address of Secretary

—  
\_\_\_\_\_

Names and Address of Treasurer

—  
\_\_\_\_\_

Contract 14-C-00018; West Tampa Elevated Water Storage Tank Refurbishment

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 14-C-00018; West Tampa Elevated Water Storage Tank Refurbishment

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 structural repairs to column bases, column post heads, and stair mounts; abrasive clean and paint the interior of the tank; pressure wash and paint the exterior of the tank; and paint two murals to the exterior of the tank and all associated work, any 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><i>Four hundred and forty, three thousand</i> dollars                      and <i>ZERO</i> cents</p>	<p><i>\$ 443,000.00</i></p>
		(BASE BID) LS	

Contract 14-C-00018; West Tampa Elevated Water Storage Tank Refurbishment

Computed Total Price In Words:

Four hundred forty three thousand  
 \_\_\_\_\_ dollars and ZERO cents.

Computed Total Price in Figures: \$ 443,000.00

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>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____
				Total Cost \$	<u>0</u>

Signed 

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

Contract 14-C-00018; West Tampa Elevated Water Storage Tank Refurbishment

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

NGM

(Name of Bank or Surety)

of

Jacksonville FL.

(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 1-28-, 2014

Tank Rehab.com LLC.

(Name of Bidder)

2030 E. Adams St., Jacksonville FL 32202

(Address of Bidder)

Tom Donovan

(Signature)

MGR.

(Title)

Where Bidder is a Corporation:

Attest:

Virginia Roman

Secretary

AFFIX  
CORPORATE  
SEAL

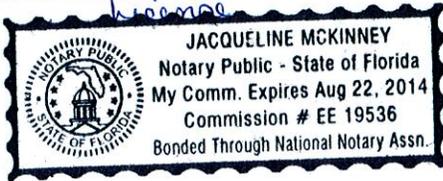
(ACKNOWLEDGMENT OF PRINCIPAL)

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

For a Corporation:

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 21<sup>st</sup> of January, 2014 by Tom Dawson of Tank Rehab.com, LLC., a LLC. corporation, on behalf of the corporation. He/she is \_\_\_ personally known or has \_\_\_ produced Florida Drivers License as identification.



Jacqueline McKinney  
Notary

My Commission Expires:

August 22, 2014

For an Individual:

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

The foregoing instrument was acknowledged before me this \_\_\_ of \_\_\_\_\_, 2014 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 \_\_\_\_\_, 2014 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-00018; West Tampa Elevated Water Storage Tank Refurbishment

KNOW ALL MEN BY THESE PRESENTS, that we, TankRehab.com LLC

(hereinafter called the Principal) and NGM Insurance Company

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of FL, with its principal offices in the City of Jacksonville, 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-00018, West Tampa Elevated Water Storage Tank Refurbishment.

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 28th day of January, 2014.

Principal

TankRehab.com LLC

BY [Signature]

TITLE MGR.

NGM Insurance Company

BY [Signature]

TITLE Robert T. Theus, Attorney-In-Fact

Countersigned:  
(SEAL)

[Signature]  
Local Resident Producing Agent Robert T. Theus

219 N. Newnan Street  
Jacksonville, FL 32202

Local Resident Producing Agent's Address

Cecil W. Powell & Company

Name of Local Agency

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



06-0271578

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "

does hereby make, constitute and appoint **Roger Hurst, Fitzhugh K Powell Jr, Walter Neal Myers Benjamin Powell, Robert T Theus** -----

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

- 1. No one bond to exceed Five Million Dollars (\$5,000,000.00).

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Assistant Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 3rd day January, 2012

NGM INSURANCE COMPANY By:

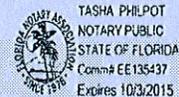
Bruce R Fox  
Assistant Vice President, General  
Counsel and Secretary



State of Florida,  
County of Duval.

On this January 3rd, 2012 before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R Fox of the NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 3<sup>rd</sup> day of January 2012.



I, Brian J Beggs, Vice President of the NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this

28th day of January 2014

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.  
TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.  
TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.





Welcome to

**WEST TAMPA**