

Bid

RESOLUTION NO. 2015- 472

A RESOLUTION ACCEPTING THE PROPOSAL OF J. O. DELOTTO & SONS, INC. PERTAINING TO CONTRACT 15-C-00034; TAMPA CONVENTION CENTER ESCALATOR IMPROVEMENTS, IN THE AMOUNT OF \$638,718.39; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 5, 2015, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Tampa Convention Center Escalator Improvements, and recommends to this Council that the proposal of J. O. DeLotto & Sons, 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 J. O. DeLotto & Sons, Inc. in the total amount of \$638,718.39 for construction of the Tampa Convention Center Escalator 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. Funding for award of a contract for construction services is provided in the amount of \$638,718.39 for the Tampa Convention Center within the Tourist Development Tax Capital Projects 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 0 4 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: No

42015-20

15-C-00034; Tampa Convention Center Escalator Improvements
Bid Opening: 1:30P.M., May 05, 2015

						J. O. DeLotto & Sons, Inc	
Item No.	Description	Unit	Approx. Quantity	Unit Price	Total		
Bid Items A							
1	Allowance for payment to KONE for Escalator #1	LS	1	\$49,850.00	\$49,850.00		
2	Allowance for payment to KONE for Escalator #2	LS	1	\$49,850.00	\$49,850.00		
3	Allowance for payment to KONE for Escalator #3	LS	1	\$49,850.00	\$49,850.00		
4	Allowance for payment to KONE for Escalator #4	LS	1	\$49,850.00	\$49,850.00		
5	Allowance for payment to KONE for Escalator #5	LS	1	\$49,850.00	\$49,850.00		
6	Allowance for payment to KONE for Escalator #6	LS	1	\$49,850.00	\$49,850.00		
7	Allowance for payment to KONE for Escalator #7	LS	1	\$49,850.00	\$49,850.00		
8	Allowance for payment to KONE for Escalator #8	LS	1	\$49,850.00	\$49,850.00		
9	Electrical retrofit for escalator #3 & #4	LS	1	\$3,327.45	\$3,327.45		
10	Electrical retrofit for escalator #5 & #6	LS	1	\$3,327.45	\$3,327.45		
11	Electrical retrofit for escalator #7 & #8	LS	1	\$3,327.45	\$3,327.45		
12	General Construction and Final Finishes for all eight esca	LS	1	\$209,936.04	\$209,936.04		
13	Contingency (Per Section 1020)	LS	1	\$20,000.00	\$20,000.00		
*Arithmetic correction by Contract Administration					TOTAL	\$638,718.39	*
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:		<i>Jim Greiner</i>		
					Jim Greiner, P.E.		
			City of Tampa - Contract Administration Department				
			306 E. Jackson Street - 4N				
			Tampa, FL 33602				

ALB

Contract 15-C-00034; Tampa Convention Center Escalator Improvements

PROPOSAL

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

Name of Bidder Eric S. Gordon

(813) 935-2191 egordon@delotto.com

Business Phone Number and Email Address

J. O. DeLotto & Sons Inc. 924 E. Busch Blvd. Tampa, FL 33612

Business Name and Mailing Address

(813) 935-2191 Doug Littrell

Phone Number and Name of Contact Regarding Permits

J. O. DeLotto & Sons Inc. Darrin Thomson 59-1003511

Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal 5/5/2015

(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

Craig Lamberson

924 E. Busch Blvd. Tampa, FL 33612

Name and Address of Vice President

Wayne Fernandez

924 E. Busch Blvd. Tampa, FL 33612

Name and Address of Secretary

Darrin Thomson

924 E. Busch Blvd. Tampa, FL 33612

Names and Address of Treasurer

Doug Littrell

924 E. Busch Blvd. Tampa, FL 33612

Contract 15-C-00034; Tampa Convention Center Escalator 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:

Item No.	Description	Unit	Approx. Quantity	Unit Price in Words	Unit Price	Total Computed Price
1	Allowance for payment to KONE for Escalator #1	LS	1	Forty Nine Thousand Eight Hundred Fifty Dollars and No / Cents	\$ 49,850.00	\$ 49,850.00
2	Allowance for payment to KONE for Escalator #2	LS	1	Forty Nine Thousand Eight Hundred Fifty Dollars and No / Cents	\$ 49,850.00	\$ 49,850.00
3	Allowance for payment to KONE for Escalator #3	LS	1	Forty Nine Thousand Nine Hundred Fifty Dollars and No / Cents	\$ 49,950.00	\$ 49,950.00
4	Allowance for payment to KONE for Escalator #4	LS	1	Forty Nine Thousand Nine Hundred Fifty Dollars and No / Cents	\$ 49,950.00	\$ 49,950.00
5	Allowance for payment to KONE for Escalator #5	LS	1	Forty Nine Thousand Three Hundred Fifty Dollars and No / Cents	\$ 49,350.00	\$ 49,350.00
6	Allowance for payment to KONE for Escalator #6	LS	1	Forty Nine Thousand Three Hundred Fifty Dollars and No / Cents	\$ 49,350.00	\$ 49,350.00
7	Allowance for payment to KONE for Escalator #7	LS	1	Forty Nine Thousand Nine undred Five Dollars and No / Cents	\$ 49,905.00	\$ 49,905.00
8	Allowance for payment to KONE for Escalator #8	LS	1	Forty Nine Thousand Nine undred Five Dollars and No / Cents	\$ 49,905.00	\$ 49,905.00
9	Electrical retrofit for escalator #3 & #4	LS	1		\$ 3,327.45	\$ 3,327.45
10	Electrical retrofit for escalator #5 & #6	LS	1		\$ 3,327.45	\$ 3,327.45
11	Electrical retrofit for escalator #7 & #8	LS	1		\$ 3,327.45	\$ 3,327.45
12	General Construction and Final Finishes for all eight escalators	LS	1		\$ 209,936.04	\$ 209,936.04
13	Contingency (Per Section 1020)	LS	1	Twenty Thousand Dollars and No / cents	\$ 20,000.00	\$ 20,000.00
				Total Computed Price:	\$ 638,028.37	\$ 638,028.37

*

Contract 15-C-00034; Tampa Convention Center Escalator Improvements

Computed Total Price In Words:

Six Hundred Thirty Eight Thousand and Twenty-Eight

_____ dollars and Thirty-Seven cents.

Computed Total Price in Figures: \$ 638,028.37

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>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____

Total Cost \$ N/A

Signed  B.J. Stull BVP/Treasurer

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

Contract 15-C-00034; Tampa Convention Center Escalator 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

Liberty Mutual Insurance Co. of Boston, Massachusetts
(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 May 5, 2015

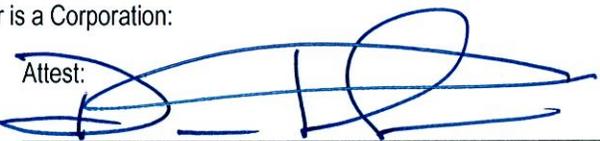
J. O. DeLotto & Sons, Inc.
(Name of Bidder)

924 E. Busch Blvd. Tampa, FL 33612
(Address of Bidder)


(Signature)

Vice President /Treasurer
(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 5th of May, 2015 by Darrin Thomson of JODELOTTO + SONS, a FL corporation, on behalf of the corporation. He/she is X personally known or has ___ produced _____ as identification.

Teresa L. Blankenship
Notary



For an Individual:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ of _____, 20___ 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 _____, 20___ 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 15-C-00034; Tampa Convention Center Escalator Improvements

KNOW ALL MEN BY THESE PRESENTS, that we, J O DeLotto & Sons, Inc.

(hereinafter called the Principal) and Liberty Mutual Insurance Company

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of Massachusetts, with its principal offices in the City of Boston, 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 15-C-00034, Tampa Convention Center Escalator 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 Public Construction 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 5th day of May, 2015.

Principal

J O DeLotto & Sons, Inc.

BY _____

TITLE _____

Liberty Mutual Insurance Company

BY _____

TITLE Mark Douglas Pichowski, Attorney-in-Fact

(SEAL)

Mark Pichowski

Producing Agent

P.O. Box 6090 Clearwater, FL 33758

Producing Agent's Address

Bouchard Insurance

Name of Agency

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

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6599565

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Blake Williams; John Raymond Bouchard; Mark Douglas Pichowski; Maureen Huybers; Nancy Lynn Sheinberg; Todd George

all of the city of CLEARWATER, state of FL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 4th day of June, 2014.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 4th day of June, 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of May, 2015.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

