

Bid

603

RESOLUTION NO. 2017-\_\_\_\_\_

**A RESOLUTION ACCEPTING THE PROPOSAL OF TRIAS CONSTRUCTION LLC PERTAINING TO CONTRACT 17-C-00028; HOWARD F. CURREN ADVANCED WASTEWATER TREATMENT PLANT SCREEN AND GRIT BUILDING NOS. 1 AND 2 BOOSTER PUMPS, IN THE AMOUNT OF \$274,561; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on May 9, 2017, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building Nos. 1 and 2 Booster Pumps, rejected the low bid for licensing and recommends to this Council that the proposal of Trias Construction 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 Trias Construction LLC in the total amount of \$274,561 for construction of the Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building Nos. 1 and 2 Booster Pumps (Project), 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. This will provide \$274,561 for the Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building No. 1 & 2 Booster Pumps project for use by the Wastewater Department within the Wastewater Capital Construction 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 JUL 27 2017.

  
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

1/2017-19

# Tampa Bay Times

Published Daily

STATE OF FLORIDA } ss  
COUNTY OF Hillsborough County

Before the undersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: CONTRACT:17-C-00028 was published in Tampa Bay Times: 4/7/17, in said newspaper in the issues of Baylink Hillsborough

Affiant further says the said Tampa Bay Times is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as a second class mail matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

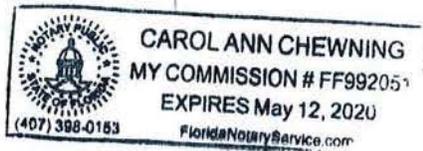
Signature of Affiant

Sworn to and subscribed before me this 04/07/2017.

Signature of Notary Public

Personally known \_\_\_\_\_ or produced identification

Type of identification produced \_\_\_\_\_



### LEGAL NOTICE

Sealed bids will be received by the City of Tampa no later than 1:30 p.m. on the indicated Bid Date(s) for the following Project(s):

**Only City of Tampa Certified Small Local Business Enterprises and Underutilized WMBEs may submit bids for this project.**

**CONTRACT:** 17-C-00028; Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building Nos. 1 and 2 Booster Pumps - Sheltered Market **BID DATE:** 5/9/17 **EST:** \$200,000 **PRE-BID CONF:** 4/25/17; 11:00a.m., AWTP Maint. Bldg. Training Rm., 2700 Maritime Blvd., Tpa, FL 33619

Bids will be opened in the 4th Floor Conference Room, Tampa Municipal Office Building, 306 E. Jackson Street, Tampa, Florida 33602. Pre-Bid Conference is held at the same location unless otherwise indicated. Download documents from [www.demandstar.com](http://www.demandstar.com) or <http://www.tampagov.net/contract-administration/programs/construction-project-bidding>.

Plans and Specifications and Addenda for this work may be examined at, and downloaded from, [www.demandstar.com](http://www.demandstar.com). Backup files are available at <http://www.tampagov.net/contract-administration/programs/construction-project-bidding>. Email Technical Questions to: [contractadministration@tampagov.net](mailto:contractadministration@tampagov.net) (455929) 04/07/2017

**City of Tampa**  
**BID TABULATION**  
**Contract 17-C-00028 Howard F. Curren AWTP Screen and Grit Bldg. 1 & 2 Booster**  
**Pumps**  
**Bid Opening - May 09, 2017**

Posted May 09, 2017 (Updated June 28, 2017)

<b>CONTRACTOR</b>	<b>TOTAL BID AMOUNT</b>
BMG Conveyor Services of Florida, Inc DBA Davis Industrial <small>Rejected for licensing</small>	\$244,295.10
Trias Construction LLC	\$274,561.00
Austin Construction Group, Inc.	\$284,600.00

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 I  
306 E. Jackson Street - 4N  
Tampa, FL 33602

PROPOSAL

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

Legal Name of Bidder: TRIAS CONSTRUCTION LLC

Bidder's Fictitious Name, if applicable: \_\_\_\_\_

Bidder is a/an:  Individual  Partnership\*  Joint Venture\*  LLC  Corp.  Other:

Bidder is organized under the laws of:  State of Florida  Other:

Bidder Mailing Address: 24710 State Road 54, Lutz, FL 33559

Bidder's Federal Employee Identification No. (FEI/EIN): 27-1493033

Bidder's License No.: CBC1258042 et al Bidder's FDOS (SUNBIZ) Doc. No.: 409000119553  
(See Ch. 489, FS; use entity's, individual's only if applicable)

Bidder Contact Name\*\*: Joe Trias Email: joe@triasconstruction.com Phone: (813) 737-0070

Bidder's own initial application for employment has criminal history screening practices similar in nature to the practices contained in Chapter 12, Article VI, City of Tampa Code (Responses, whether "Yes" or "No", are for informational purposes only and will not be used as a basis of award or denial, nor as a basis for any protest):  Yes  No

The below named person, appearing before the undersigned authority and after being first duly sworn, for him/herself and on behalf of the entity submitting this Proposal does hereby affirm and declare as follows:

- (1) He/She is of lawful age and is authorized to act on behalf of Bidder (the individual, partnership, corporation, entity, etc. submitting this Proposal) and that all statements made in this document are true and correct to the best of my knowledge.
- (2) If Bidder is operating under a fictitious name, Bidder has currently complied with any and all laws and procedures governing the operation of businesses under fictitious names in the State of Florida
- (3) No person or entity other than Bidder has any interest in this Proposal or in the Contract proposed to be entered into.
- (4) This Proposal is made without any understanding, agreement, or connection with any person or entity making Proposal for the same purposes, and is in all respects fair and without collusion or fraud.
- (5) 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.
- (6) 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.
- (7) Bidder has carefully examined and fully understands the Solicitation and has full knowledge of the scope, nature, and quality of the work to be performed; furthermore, 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.
- (8) Bidder (including its principals)  has |  has NOT been debarred or suspended from contracting with a public entity.
- (9) Bidder  has |  has NOT implemented a drug-free workplace program that meets the requirements of Section 287.087, Florida Statutes.
- (10) Bidder has carefully examined and fully understands all the component parts of the Contract Documents and agrees Bidder will execute the Contract, provide the required Public Construction Bond, and will fully perform the work in strict accordance with the terms of the Contract and Contract Documents therein referred to for the following prices, to wit:

\* If a Partnership or Joint Venture, attach Partnership or Joint Venture Agreement.

\*\* Someone the City may contact with questions/correspondence regarding this Solicitation and/or permits.

Contract 17-C-00028; Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building Nos. 1 and 2  
 Booster Pumps

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 to install two (2) 10 hp booster pumps and two (2) 7.5 hp booster pumps including all accessory equipment, valve assemblies, electrical connections and appurtenances, any allowances that may be stated in SP-60, and with all associated work required for a complete project in accordance with the Contract Documents.	
		_____ dollars	
		and _____ cents	
	(BASE BID)	LS	<u>\$274,561.00</u>

*\$20,000.00 is included per SP-60*

Computed Total Price in Words: \_\_\_\_\_  
 \_\_\_\_\_ dollars and \_\_\_\_\_ cents.

Computed Total Price in Figures: \$ \_\_\_\_\_

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 \_\_\_ #6 \_\_\_ #7 \_\_\_ #8 \_\_\_.

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

Bidder acknowledges that it is aware of Florida's Trench Safety Act (Sections 553.60-553.64, Florida Statutes), and agrees that Bidder together with any involved subcontractors will comply with all applicable trench safety standards. Bidder further acknowledges that included in the various items of this Proposal and the total bid price (as applicable) are costs for complying with the Trench Safety Act. Bidder further identifies the costs and methods summarized below:

	Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost
A.	_____	_____	_____	_____	_____
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
<b>Total Cost: \$</b>				<u>W/A</u>	_____

Accompanying this Proposal is a certified check, cashier's check or Tampa Bid Bond (form included herein must be used) for at least five percent (5%) of the total amount of the Proposal which check shall become the property of the City, or which bond shall become forthwith due and payable to the City, if this Proposal shall be accepted by the City and the Bidder shall fail to enter into a legally binding contract with and to furnish the required Public Construction Bond to the City within twenty (20) days after the date of its receipt of written Notice of Award by the City so to do.

**FAILURE TO COMPLETE THE ABOVE MAY RESULT IN THE PROPOSAL BEING DECLARED NON-RESPONSIVE.**

[SEAL]

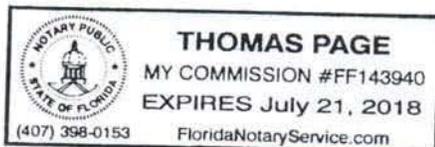
Name of Bidder: TRIAS Construction  
 Authorized Signature: \_\_\_\_\_  
 Signer's Printed Name: Joseph Trias  
 Signer's Title: owner

STATE OF Florida  
 COUNTY OF Pasco

For an entity: The forgoing instrument was sworn (or affirmed) before me this 9 day of May, 2017 by Joseph Trias as owner of TRIAS Construction, a/n  Partnership  Joint Venture  LLC  Corp  Other: \_\_\_\_\_, on behalf of such entity. Such individual is  personally known to me or  produced a/n \_\_\_\_\_ state driver's license as identification.

For an individual: The forgoing instrument was sworn (or affirmed) before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ by \_\_\_\_\_, who is  personally known to me or  produced a/n \_\_\_\_\_ state driver's license as identification.

[NOTARY SEAL]



Notary Public, State of Florida  
 Notary Printed Name: Thomas Page  
 Commission No.: FF143940  
 My Commission Expires: 7/21/2018

TAMPA BID BOND

Contract 17-C-00028; Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building Nos. 1 and 2  
Booster Pumps

KNOW ALL MEN BY THESE PRESENTS, that we, Trias Construction, LLC

24710 State Road 54, Lutz, FL 33559

(hereinafter called the Principal) and Great American Insurance Company, 301 E. Fourth Street, Cincinnati, OH 45202

(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 Cincinnati, 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 17-C-00028, Howard F. Curren Advanced Wastewater Treatment Plant Screen and Grit Building Nos. 1 and 2 Booster Pumps.

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 9th day of May, 2017.

Principal

Trias Construction, LLC  
BY \_\_\_\_\_  
TITLE \_\_\_\_\_  
Great American Insurance Company  
BY \_\_\_\_\_  
TITLE James C. Congelio, Attorney-In-Fact

(SEAL)

James C. Congelio  
Producing Agent

1715 N. Westshore Blvd., Suite 920, Tampa, FL 33607  
Producing Agent's Address

Bowen, Miclette & Britt of Florida, LLC  
Name of Agency

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

**GREAT AMERICAN INSURANCE COMPANY®**

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **THREE**

No. 0 20650

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
JAMES C. CONGELIO	ALL OF	ALL OF
JAMES N. CONGELIO	MAITLAND, FLORIDA	\$100,000,000
LENITA W. WRIGHT		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **8TH** day of **APRIL**, 2015

Attest

GREAT AMERICAN INSURANCE COMPANY



*Stephen C. Beraha*  
Assistant Secretary

*David C. Kitchin*  
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this **8TH** day of **APRIL**, 2015, before me personally appeared **DAVID C. KITCHIN**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**JENNIFER MARIE RIPPY**  
Notary Public, State of Ohio  
My Commission Expires  
**June 20, 2019**

*Jennifer Marie Rippy*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

*RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.*

*RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, 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 officer 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.*

**CERTIFICATION**

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **9th** day of **May**, 2017



*Stephen C. Beraha*  
Assistant Secretary





Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive

Page 3 of 4 – DMI Solicited/Utilized Schedules
City of Tampa – Schedule of All To-Be-Utilized Sub-(Contractors/Consultants/Suppliers)
(FORM MBD-20)

Contract No.: 17-C-00028 Contract Name: Howard F. Coran Advanced Waste Water Treatment Plant
Company Name: Trias Construction Address: 24710 State Road 54 Lot 2 FC 33559
Federal ID: 27-1493023 Phone: 813-737-0070 Fax: 866-230-3368 Email: joe@triasconstruction.com

Check applicable box(es). Detailed Instructions for completing this form are on page 4 of 4.

[ ] See attached list of additional Firms Utilized and all supplemental information (List must comply to this form)

Note: Form MBD-20 must list ALL subcontractors To-Be-Utilized including Non-minority/small businesses

[ ] No Subcontracting/consulting (of any kind) will be performed on this contract.

[X] No Firms are listed to be utilized because: we need to re-review all quotes

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

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

Table with 6 columns: S/W/O, Company Name, Address, Phone/Fax/Email, Type of Ownership, Trade/Services/Materials, \$ Amount of Quote, Letter of Intent (LOI), Percent of Scope or Contract %.

Total ALL Subcontract / Supplier Utilization \$

Total SLBE Utilization \$

Total WMBE Utilization \$

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

It is hereby certified that the following information is a true and accurate account of utilization for sub-contracting opportunities on this Contract.

Signed: [Signature] Name/Title: Joseph Trias/owner Date: 5/9/17

Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive
Forms must be included with Bid / Proposal