

Bid

RESOLUTION NO. 2017- 1010

A RESOLUTION ACCEPTING THE PROPOSAL OF NEW VISTA BUILDERS GROUP LLC PERTAINING TO CONTRACT 17-C-00037; FIRE STATION 23 IMPROVEMENTS, IN THE AMOUNT OF \$3,239,500; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 29, 2017, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Fire Station 23 Improvements, rejected the first bidder for program non-compliance and recommends to this Council that the proposal of New Vista Builders Group 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 New Vista Builders Group LLC in the total amount of \$3,239,500 for construction of the Fire Station 23 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.

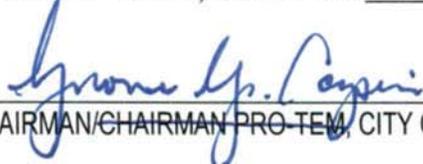
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

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. Award of this contract for the construction of the Fire Station No. 23 project in the amount of \$3,239,500 for the Fire Rescue Department within the CIT Series 2016 Bonds Capital Projects Fund and the CIT Program 5 FY17 – FY21 Capital Projects Fund.

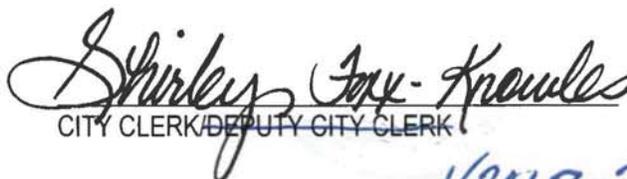
Section 8. Other proper officers of the City of Tampa are authorized to do all things necessary and proper in order to carry out and make effective the provisions of this Resolution, which shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON NOV 16 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

4/2017-29

City of Tampa
BID TABULATION

Contract 17-C-00037; Fire Station 23 Improvements

Bid Opening - August 29 2017

Posted August 29, 2017 (Updated and Revised: October 17, 2017)

CONTRACTOR	TOTAL BID AMOUNT
Shearer Companies, Inc Rejected*	\$3,049,000.00
New Vista Builders Group, LLC	\$3,239,500.00
Reno Building, LLC.	\$3,441,287.00
Trias Construction, LLC	\$3,452,632.00
Leisure Constrction, Inc	\$3,500,000.00
Certus Builders, Inc	\$3,618,055.00
JPR Universal Construction, LLC	\$3,730,000.00
Park Construction, LLC	\$3,875,445.00
West Construction, Inc.	No-Bid

*The Director of Contract Administration declared the bid non-responsive and the bidder ineligible to receive the contract based on a determination of noncompliance by the Manager of the City's Minority and Small Business Development Program pursuant to Chapter 26.5, City of Tampa Code. The Director's declaration, including to the extent based on the Manager's determination, may be protested pursuant to City of Tampa Code Section 2-282. – Procurement protest procedures as confirmed by Division 6 of Article II, Chapter 26.5, City of Tampa Code.

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

Contract 17-C-00037; Fire Station 23 Improvements

PROPOSAL

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

Legal Name of Bidder: New Vista Builders Group, LLC

Bidder's Fictitious Name, if applicable: N/A

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: 4906 N. Manhattan Ave, Tampa, FL 33614

Bidder's Federal Employee Identification No. (FEI/EIN): 201737725

Bidder's License No.: CGC057992 Bidder's FDOS (SUNBIZ) Doc. No.: LO4000073470
(See Ch. 489, FS; use entity's, individual's only if applicable)

Bidder Contact Name**: Lazaro Fernandez Email: laznvg@gmail.com Phone: (813) 200-8340

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-00037; Fire Station 23 Improvements

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 construction of a new 10,011 sf facility which includes site work with parking lot apron, landscaping and irrigation utilizing Florida friendly materials, masonry exterior walls, pre-fabricated trusses, metal roofing, cement plaster and thin stone finishes, HVAC including chiller with vav system, plumbing, electrical which includes minor photovoltaics, interior finishes, 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><u>THREE MILLION ONE HUNDRED THIRTY NINE</u> <u>THOUSAND FIVE HUNDRED</u> dollars and <u>ZERO</u> cents</p>	<p>\$(<u>3,239,500.00</u>)</p>

Contract 17-C-00037; Fire Station 23 Improvements

Computed Total Price in Words: THREE MILLION TWO HUNDRED THIRTY NINE THOUSAND
FIVE HUNDRED dollars and 2000 cents.

Computed Total Price in Figures: \$ 3,239,500.00

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.	_____	_____	_____	_____	0.00
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
Total Cost: \$					<u>0.00</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.

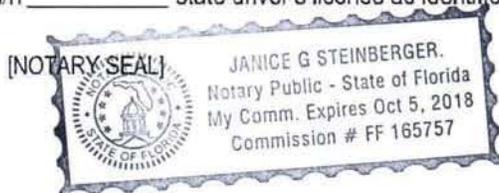
[SEAL]

Name of Bidder: New Vista Builders Group, LLC
 Authorized Signature: _____
 Signer's Printed Name: Lazaro Fernandez
 Signer's Title: Vice President

STATE OF Florida
 COUNTY OF Hillsborough

For an entity: The forgoing instrument was sworn (or affirmed) before me this 29 day of August, 20 17 by Lazaro Fernandez as Vice President of New Vista Builders Group, LLC, 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 29th day of August, 20 17 by Lazaro Fernandez, who is personally known to me or produced a/n _____ state driver's license as identification.



Notary Public, State of Florida
 Notary Printed Name: Janice G Steinberger
 Commission No.: FF165757
 My Commission Expires: 10/5/18

TAMPA BID BOND

Contract 17-C-00037; Fire Station 23 Improvements

KNOW ALL MEN BY THESE PRESENTS, that we, New Vista Builders Group, LLC

(hereinafter called the Principal) and FCCI 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 Sarasota, 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-00037, Fire Station 23 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 14th day of August, 2017.

Principal

New Vista Builders Group, LLC
BY _____

TITLE VICE PRESIDENT
Surety: FCCI Insurance Company

BY _____

TITLE Eduardo A. Menendez, Attorney in Fact & FL Res Agent

(SEAL)

Eduardo A. Menendez
Producing Agent

9500 S. Dadeland Blvd., Fourth Floor, Miami, FL 33156
Producing Agent's Address

InSource
Name of Agency

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



More than a policy. A promise.

GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

William F Kleis; William L Parker; Davor I Mimica; Ileana M Bauza; Eduardo A. Menendez

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$5,000,000): \$5,000,000.00

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 22ND day of September, 2011.

Attest: Craig Johnson, President FCCI Insurance Company



Thomas A. Koval Esq., EVP, Chief Legal Officer, Government Affairs and Corporate Secretary FCCI Insurance Company

State of Florida County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2020



Arlene Alonso, Notary Public

State of Florida County of Sarasota

Before me this day personally appeared Thomas A. Koval, Esq., who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2020



Arlene Alonso, Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 14 day of August, 2017

Thomas A. Koval, Esq., EVP, Chief Legal Officer, Government Affairs and Corporate 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-00037 Contract Name: Fire Station 23 Improvements
 Company Name: New Vista Builders Group, LLC Address: 4906 N. Manhattan Ave., Tampa, FL 33614
 Federal ID: 201737725 Phone: 813-200-8340 Fax: 813-354-4846 Email: laznvg@gmail.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.

No Firms are listed to be utilized because: _____

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

S = SLBE W = WMBE O = Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic Am. AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade, Services, or Materials NIGP Code Listed above	\$ Amount of Quote. Letter of Intent (LOI) if available	Percent of Scope or Contract %
MBE 593617521	C & C Painting 8372 Standish Bend Dr, Tampa, FL 813-886-7100	HM	914 Painting	27,720.00	.08
SLBE 473075505	Faithful Cleaning 7813 Temple Terrace Hwy # 129, Tampa, FL 813-210-3616	BF	914 Cleaning	2,500.00	.007
SLBE 592852308	Ocean Flooring 4721 N Clark Ave, Tampa, FL 33614 813-870-0967	CF	914 Flooring	29,534.00	.09
WBE 592852308	Premier Fire Sprinklers 5611 E. Chelsea St # C, Tampa, FL 33610 813-630-4597	CF	914 Fire	34,460.00	.11
MBE 593511620	JDP Electric 6600 N. Florida Ave., Tampa, FL 33604 813-234-4004	HM	914 Electric	330,000.00	10.3
WMBE 364668231	Acclaim Service Group 1324 Seven Spring Blvd PMB 325, New Port Richey, FL 727-848-3200		914 Concrete	444,475.00	13.9

Total ALL Subcontract / Supplier Utilization \$ 2,515,000.00

Total SLBE Utilization \$ 32,034.00

Total WMBE Utilization \$ 836,655.00

Percent SLBE Utilization of Total Bid/Proposal Amt. 10.1% Percent WMBE Utilization of Total Bid/Proposal Amt. 26.1%

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

Signed: _____ Name/Title: Lazaro Fernandez - VP Date: 8/29/17

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



CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

Minority and Small Business Development

DATE: October 13, 2017
 TO: Michael Chucran, Director, Contract Administration Department
 FROM: Gregory K. Hart, MBD Manager
 RE: Underutilized WMBE Solicitation & Utilization - Compliance Evaluation

PROJECT: 17-C-00037 Fire Station 23 Improvements
2nd LOW BIDDER: New Vista Builders Group, LLC
BID AMOUNT: \$3,239,500.00

U-WMBE / Underutilized BBE Subcontract Goal: 27.9%
U-WMBE / BBE Goal Attainment: .08%
Good Faith Effort Compliance: SUFFICIENT

The Minority and Small Business Development Office evaluated the Good Faith Effort Compliance Plan (GFCEP) submitted by New Vista Builders Group, LLC and determined they complied with the requirements of the Equal Business Opportunity Program (EBO) by having performed meaningful action steps to (a) identify and (b) directly solicit U-WMBE (BBE) eligible companies to quote divisions of work commensurate with the participation goal. The project goal was narrowly-tailored on the basis of six (6) out of sixteen (16) subcontract categories wherein the requisite, eligible U-WMBE companies were identified from an availability group of twenty-two (22) firms.

Note: The subcontract goal is narrowly-tailored (per policy) to target underutilization of affected groups in specific trade/industry categories. Any WMBE/SLBE achievement that was not a variable in calculation of the narrowly-tailored goal is considered ancillary. Ancillary participation cannot be credited toward meeting the narrowly-tailored goal, but may count toward overall project participation when GFCEP criteria for the underutilized group are met.

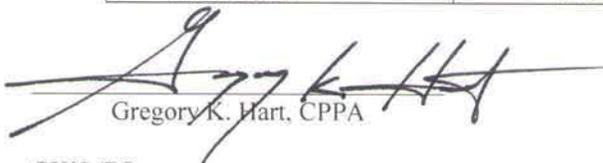
Compliance Statement: Total participation attained, including ancillary participation is 26.8%, of which 11.03% represents HBE, .08% BBE and WBE 15.69%.

U-WMBE Subcontract Goal Attainment

Certification Type	Classification	Totals
U-WMBE Disparity	BBE	.08%

Ancillary WMBE/SLBE Participation

Certification Type	Classification	Totals
WMBE/SLBE	HBE	11.03%
WMBE/SLBE	WBE	15.69%


 Gregory K. Hart, CPPA

GKH/FC
 Attachment
 cc: Tampa Fire Rescue (w/o)

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