

Bid

RESOLUTION NO. 2014-394

CAD

A RESOLUTION ACCEPTING THE PROPOSAL OF ECO-2000, INC. PERTAINING TO CONTRACT 13-C-00055; HOWARD F. CURREN AWTP RECLAIMED WATER PUMPING IMPROVEMENTS, IN THE AMOUNT OF \$610,072; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 22, 2014, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Howard F. Curren AWTP Reclaimed Water Pumping Improvements, the low bid was rejected for errors and recommends to this Council that the proposal of ECO-2000, 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 ECO-2000, Inc. in the total amount of \$610,072 for construction of the Howard F. Curren AWTP Reclaimed Water Pumping 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. This Resolution provides for a contract for construction services in the amount of \$610,072 for the Howard F. Curren Advanced Wastewater Treatment Facility Reclaimed Water Pumping Improvements project within the Water Renewal and Replacement Fund.

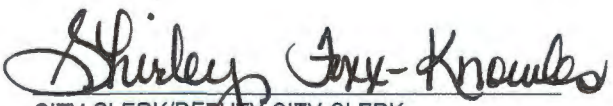
Section 8. Other proper officers of the City of Tampa are authorized to do all things necessary and proper in order to carry out and make effective the provisions of this Resolution, which shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON JUN 26 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

1/2014-26

City of Tampa
BID TABULATION
Contract 13-C-00055; Howard F. Curren AWTP Reclaimed Water Pumping
Improvements

Bid Opening - April 29, 2014

Posted April 29, 2014 (Updated 05/05/14)

CONTRACTOR	TOTAL BID AMOUNT
RTD Construction, Inc <small>Rejected for error</small>	\$605,800.00
ECO-2000, Inc	\$610,072.00
Granger Maintenance & Construction, Inc	\$610,843.00
Wharton-Smith, Inc	\$667,200.00
Villages Construction, Inc	\$668,000.00
TLC Diversified, Inc	\$741,200.00

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

Contract 13-C-00055; Howard F. Curren AWTP Reclaimed Water Pumping Improvements

PROPOSAL

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

Name of Bidder ECO-2000 Inc.

(352) 793-5060 waterworks@eco2000inc.com
Business Phone Number and Email Address

ECO-2000 Inc. 1611 West CR48, Bushnell, FL. 33513
Business Name and Mailing Address

(904) 383-0573 Jerry Guthmiller
Phone Number and Name of Contact Regarding Permits

ECO-2000 Inc. FIN: 593648996
Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal April 29, 2014

(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

Charlie Jones - 1611 W. CR48 Bushnell, FL. 33513

Name and Address of Vice President

Name and Address of Secretary

Names and Address of Treasurer

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 13-C-00055; Howard F. Curren AWTP Reclaimed Water Pumping Improvements

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 for the demolition of an existing vertical pump, and associated piping, valves, and appurtenances; furnishing and installing new variable frequency drive (VFD) pump and motor, variable frequency drive, electrical transformer, piping configurations to facilitate the new pump and motor, and all necessary controls to provide a complete pumping system; painting of all above-grade pipes; as shown on the plans, and any Contingency Allowances as stated in SP-131, and with all associated work required for a complete project in accordance with the Contract Documents.	

The Total Lump Sum Price for Contract 13-C-00055, Howard F. Curren AWTP Reclaimed Water Pumping Improvements is:

\$ 610,072

Contract 13-C-00055; Howard F. Curren AWTP Reclaimed Water Pumping Improvements

Computed Total Price In Words:

Six hundred Ten thousand, Seventy-two
dollars and no cents.

Computed Total Price in Figures: \$ 610,072


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>None</u>	_____	_____	_____	<u>0</u>
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____

Total Cost \$ _____

Signed 

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

Contract 13-C-00055; Howard F. Curren AWTP Reclaimed Water Pumping 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

Florida Surety Bonds, Inc. of Maitland, FL
(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 29, 2014

ECO-2000, Inc.
(Name of Bidder)

11611 West CR 48, Bushnell, FL 33513
(Address of Bidder)


(Signature)

President
(Title)

Where Bidder is a Corporation:

Attest:

Secretary

AFFIX
CORPORATE
SEAL

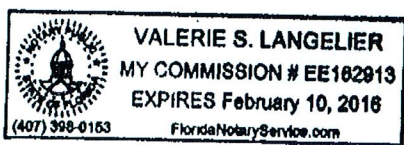
(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF FLORIDA)
) SS:
COUNTY OF SUMTER)

For a Corporation:

STATE OF Florida
COUNTY OF Sumter

The foregoing instrument was acknowledged before me this 29 of April, 2014 by Charlie Jones of ECO-2000, Inc, a _____ corporation, on behalf of the corporation. He/she is personally known or has _____ produced _____ as identification.



Valerie S. Langelier
Notary

My Commission Expires:

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:

Executed in 2 Counterpart(s)

TAMPA BID BOND

Contract 13-C-00055, Howard F. Curren AWTP Reclaimed Water Pumping Improvements,

KNOW ALL MEN BY THESE PRESENTS, that we, _____

ECO-2000, INC.

(hereinafter called the Principal) and United Fire & Casualty Company

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of IOWA, with its principal offices in the City of Cedar Rapids, IA, 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 13-C-00055, Howard F. Curren AWTP Reclaimed Water Pumping 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 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 29th day of April, 2014

Principal

ECO-2000, INC.

BY 

TITLE

United Fire & Casualty Company

BY 

TITLE 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.



UNITED FIRE & CASUALTY COMPANY, CEDAR RAPIDS, IA
 UNITED FIRE & INDEMNITY COMPANY, GALVESTON, TX
 FINANCIAL PACIFIC INSURANCE COMPANY, ROCKLIN, CA
CERTIFIED COPY OF POWER OF ATTORNEY

Inquiries: Surety Department
 118 Second Ave SE
 Cedar Rapids, IA 52401

(original on file at Home Office of Company – See Certification)

KNOW ALL PERSONS BY THESE PRESENTS, That UNITED FIRE & CASUALTY COMPANY, a corporation duly organized and existing under the laws of the State of Iowa; UNITED FIRE & INDEMNITY COMPANY, a corporation duly organized and existing under the laws of the State of Texas; and FINANCIAL PACIFIC INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of California (herein collectively called the Companies), and having their corporate headquarters in Cedar Rapids, State of Iowa, does make, constitute and appoint LESLIE M DONAHUE, OR KIM E NIV OR JEFFREY W REICH, OR SUSAN L REICH, OR TERESA L DURHAM, OR PATRICIA L SLAUGHTER, OR GLORIA A RICHARDS, OR OR DON BRAMLAGE, OR LISA ROSELAND, OR CHERYL FOLEY, ALL INDIVIDUALLY OF MAITLAND FL

their true and lawful Attorney(s)-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature provided that no single obligation shall exceed \$35,000,000.00 and to bind the Companies thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Companies and all of the acts of said Attorney, pursuant to the authority hereby given and hereby ratified and confirmed.

The Authority hereby granted is continuous and shall remain in full force and effect until revoked by UNITED FIRE & CASUALTY COMPANY, UNITED FIRE & INDEMNITY COMPANY, AND FINANCIAL PACIFIC INSURANCE COMPANY.

This Power of Attorney is made and executed pursuant to and by authority of the following bylaw duly adopted on May 15, 2013, by the Boards of Directors of UNITED FIRE & CASUALTY COMPANY, UNITED FIRE & INDEMNITY COMPANY, and FINANCIAL PACIFIC INSURANCE COMPANY.

“Article VI – Surety Bonds and Undertakings”

Section 2, Appointment of Attorney-in-Fact. “The President or any Vice President, or any other officer of the Companies may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Companies in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Companies as the original signature of such officer and the original seal of the Companies, to be valid and binding upon the Companies with the same force and effect as though manually affixed. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Companies by their signature and execution of any such instruments and to attach the seal of the Companies thereto. The President or any Vice President, the Board of Directors or any other officer of the Companies may at any time revoke all power and authority previously given to any attorney-in-fact.

IN WITNESS WHEREOF, the COMPANIES have each caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this 11th day of October, 2013

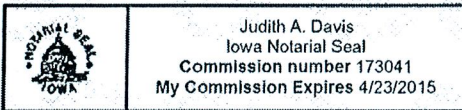
UNITED FIRE & CASUALTY COMPANY
 UNITED FIRE & INDEMNITY COMPANY
 FINANCIAL PACIFIC INSURANCE COMPANY

By: Dennis J. Richmann Vice President

State of Iowa, County of Linn, ss:

On 11th day of October, 2013, before me personally came Dennis J. Richmann

to me known, who being by me duly sworn, did depose and say; that he resides in Cedar Rapids, State of Iowa; that he is a Vice President of UNITED FIRE & CASUALTY COMPANY, a Vice President of UNITED FIRE & INDEMNITY COMPANY, and a Vice President of FINANCIAL PACIFIC INSURANCE COMPANY the corporations described in and which executed the above instrument; that he knows the seal of said corporations; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporations and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.



Judith A. Davis Notary Public
 My commission expires: 4/23/2015

I, David A. Lange, Secretary of UNITED FIRE & CASUALTY COMPANY and Assistant Secretary of UNITED FIRE & INDEMNITY COMPANY, and Assistant Secretary of FINANCIAL PACIFIC INSURANCE COMPANY, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporations as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATIONS, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Corporations this 24th day of April, 2014.



By: David A. Lange
 Secretary, UF&C
 Assistant Secretary, UF&I/FPIC

Good Faith Effort Compliance Plan for Small Local Business Subcontracting
City of Tampa - Equal Business Opportunity Program

Contract 13-C-00055; Howard E. Curren A/WTP Reclaimed Water Pumping Bid Date 4/29/14
 Bidder ECO-2000, Inc. Improvements
 Signature Valerie S. Langelier Date 4/29/14
 Name Valerie S. Langelier Title Operations Manager

The following Compliance Plan is a true report of Good Faith Efforts made to accomplish subcontracting goals for Small Local Business Enterprises, SLBEs, on the referenced contract:

The goal for SLBE participation has been met or exceeded. See the DMI form reporting subcontractors to be utilized. (Check Box, if appropriate; the remainder of the Compliance Plan need not be reported.)

The goal for SLBE participation has not been met. The following is a recap of Good Faith Efforts made: (Check applicable boxes below. Enclose additional documents, and/or add remarks below as needed.)

- (1) Soliciting through reasonable and available means the interest of SLBEs that have the capability to perform the work of the contract. The Bidder or Contractor must solicit this interest within sufficient time to allow the SLBEs to respond. The Bidder or Contractor must take appropriate steps to follow up initial solicitations with interested SLBEs. See DMI report forms for subcontractors solicited. See enclosed supplemental data on solicitation efforts. Remarks:
No response
- (2) Providing interested SLBEs with adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the solicitation. See enclosed sample solicitation. Remarks:
- (3) Negotiating in good faith with interested SLBEs that have submitted bids. Documentation of negotiation must include the names, addresses, and telephone numbers of SLBEs that were solicited; the date of each such solicitation; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why agreements could not be reached with SLBEs to perform the work. That there may be some additional costs involved in soliciting and using SLBEs is not a sufficient reason for a contractor's failure to meet the goals, as long as such costs are reasonable. Bidders are not required to accept higher quotes in order to meet the goal. DMI subcontractor-utilized forms reflect successful negotiations This project is of a low-bid nature and negotiations are limited to clarifications of scope and specifications. See enclosed document. Remarks:
- (4) Not rejecting SLBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The SLBEs standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations are not legitimate causes for rejecting or not soliciting bids to meet the goals. Not applicable. See attached explanation for rejection of a low-bidding subcontractor's bid. Remarks:
- (5) Making a portion of the work available to SLBE subcontractors and suppliers and to select those portions of the work or material consistent with the available SLBE subcontractors and suppliers, so as to facilitate meeting the goal. Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion. See enclosed comments. Remarks:
- (6) Making good faith efforts, despite the ability or desire of a Bidder or Contractor to perform the work of a contract with its own organization. A Bidder or Contractor who desires to self-perform the work of a contract must demonstrate good faith efforts unless the goal has been met. Sub-Contractors were not prohibited from submitting bids on work not usually sub-contracted. Remarks:
- (7) Selecting portions of the work to be performed by SLBEs in order to increase the likelihood that the goals will be met. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate SLBE participation, even when the Bidder or Contractor might otherwise prefer to perform these work items with its own forces. Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion. Sub-Contractors were not prohibited from submitting bids on work not usually sub-contracted. See enclosed comments. Remarks:
- (8) Making efforts to assist interested SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or contractor. See enclosed sample solicitation see enclosed document. Remarks:
- (9) Making efforts to assist interested SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in a City-sponsored mentor-protégé program. See enclosed sample solicitation. See enclosed document. Remarks:
- (10) Effectively using the services of the City and other organizations that provide assistance in the recruitment and placement of SLBEs. See enclosed document. The following services were used:

Other Supporting Good Faith Efforts: See enclosed document. Remarks:

GFCEP



CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

Minority and Small Business Development

DATE: June 12, 2014
TO: David Vaughn, Director of Contract Administration Department.
FROM: Gregory K. Hart, Minority Business Development Manager
RE: SLBE/WMBE Utilization & Solicitation Evaluation

PROJECT: 13-C-00055: HFC AWTP Reclaimed Water Pumping Improvements

LOW BIDDER: ECO-2000, Inc. (BBE Certified)

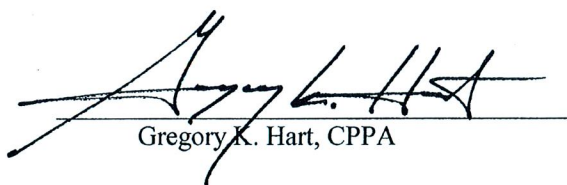
BID AMOUNT: \$610,072.00

SLBE/Underutilized-WMBE Subcontract Goal: 30.0%
SLBE/U-WMBE Goal Attainment: 0.0%
Good Faith Effort Compliance: SUFFICIENT

The Minority and Small Business Development Office evaluated the Good Faith Effort Compliance Plan (GFCEP) submitted by ECO-2000, a BBE, 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.

The detailed Compliance Report is attached and should be made a part of the project file.

Compliance Statement: The prime contractor was unsuccessful in its outreach efforts to achieve SLBE/U-WMBE subcontract participation; however, ECO-2000, itself, is classified as a U-WMBE (BBE).



Gregory K. Hart, CPPA

GKH:/GKS
Attachment

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

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


www.tampagov.net