Bid

A RESOLUTION ACCEPTING THE PROPOSAL OF KAMMINGA & ROODVOETS, INC. PERTAINING TO CONTRACT 14-C-00030; WHATLEY DITCH REHABILITATION (HILLSBOROUGH RIVER TO NORTH BOULEVARD), IN THE AMOUNT OF \$1,444,765.50; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 16, 2014, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard), rejected the first bidder for its lack of experience, and recommends to this Council that the proposal of Kamminga & Roodvoets, 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 Kamminga & Roodvoets, Inc. in the total amount of \$1,444,765.50 for construction of the Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard), 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 award of a contract for construction services in the amount of \$1,444,765.50 for Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard) project within the Commercial Paper 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 TAMP

ORIDAJON <u>DEC () 4 2014</u>.

CHAIRMÁN/CHAIRMAN PRO-TEM, CITY COUNCIL

APPROVED AS TO LEGAL SUFFICIENCY BY: Justin R. Vaske, Assistant City Attorney

ATTEST:

*1% for Art: No

12014-48

toxx-Knowles

City of Tampa BID TABULATION

Contract 14-C-00030; Whatley Ditch Rehabilitation (North Boulevard to Hillsborough River)

Bid Opening - September 16, 2014

Posted September 16, 2014 (Updated October, 08, 2014)

CONTRACTOR	TOTAL BID AMOUNT
Bun Construction Company, Inc Rejected for experience.	\$1,443,878.00
Kamminga & Roodvoets, Inc	\$1,444,765.50
Tampa Bay Construction & Engineering, Inc	\$1,478,307.00
David Nelson Construction Co.	\$1,508,815.00
Pac Comm, Inc,	\$1,697,645.60
Stage Door II, Inc.	\$1,878,146.00
Keystone Excavators, Inc	\$1,929,300.00
Pepper Contracting Services, Inc	\$2,713,728.00

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 14-C-00030; Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard)

PROPOSAL
To the Mayor and City Council of the City of Tampa, Florida:
Name of Bidder Kamminsa + Roodvoets, Inc
813-623-3031 mb + idey & Kand Rinc fl. com Business Phone Number and Email Address
Hamminga + Roodvoets, Inc 5219 Con Rd, Tampa, F1 33610 Business Name and Mailing Address
Phone Number and Name of Contact Regarding Permits
Marcus B Tider T. 38-1808 100 Contractor/Qualifiers Name and Pederal Identification Number
Date of Proposal September 15, 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
Names and Address of President
Kurt Poll
3435 Broadmood S.E., Grand Rapids, M. 49512
Name and Address of Vice President
Marcus B Tider Jr
Marcus B Tider Jr 5219 Cone Rd, Tampa F1 33410
Name and Address of Secretary
Krais L. Klynstra
3435 Broad mour S.F. Grand Ropids, Mi 49512
Names and Address of Treasurer
Krais L Klynsta
Same

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 _______ 38-1808 100_____

 ____ 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:

Total Computed Price		0.00 \$ 112,500.00	185000.00	↔	\$ 7500.00	3500.00	\$ \$2500.00	00:00:007 \$ 6	31500.00	\$ 7200.00	\$ 7735.00	\$ 39100.00	↔	\$ 15620.00	\$ 6600.00	\$ 43300.00	\$	3000.00
Unit Price		112,500.00	00.000561	00.00051	7500.00	2500.00	\$2500.00		31500.00	72.00	15.00	11.50	332.00	5.60	11.00	18,00		
Unit Price in Words		One Hundred Twelve Thousand Five Hundred Dollars \$	one hundred twenty five thousand dollars s	fifteen thousand dullars is	sevents funded dollars	twenty five hundred dullars	eishtz two	one hundred thousand dollars \$	thirty on the hundred dellass s	Seventative dellars		3,400 eleven dollars fifty cents \$	61 hundred thirty two dollars 8	2,840 five do Vars fifty cents \$	eleven dellars	eighteen dollars	mine sevent the dollars s	thru Housand dollars s
Approx. Quantity			-	1	1	-	1	1	-	100	515	3,400	61	2,840	009	2,400	3	-
Chit		ΓS	ડ	ST	ST	S	ST	S	ST	F)	"	SY	Ę	SY	ζ	≿	ζ	E
Description	· · · · · · · · · · · · · · · · · · ·	Contingency	Mobilization	Maintenance of Traffic	Erosion Control, Tree Protection, & Turbidity Barrier	Root Pruning	Tree Removal	Dewatering and By-Pass Pumping	Clearing Ditch and Debris Removal	Remove Ex. Sheet Metal Fencing/Wall	Demo and Remove Ex. Riprap & Granite Curb Retaining Wall	Lawn Replacement Sod	New Landscaping Plantings	Grading Slope	Removal & Disposal of Unsuitable Subsoil	Imported Soil Fill Material	Concrete Retaining Wall Penetrations	City of Tampa Brick Manhole
Item No.		0100-1	0101-1	0102-1	0104-1	0105-1	0105-2	0108-1	0110-1	0110-2	0110-3	0112-1	0112-2	0120-1	0120-4	0142-1	0350-1	0425-1

Total Computed Price	1375.00	750.00	48160.00	00.069	00.000 St	228 000.00	46550.00	118 935.00	34560.00	1963.50	11340.00	00.00421	05.5724441	1
	\$	છ	↔	€≯	\$	\$	<i>∂</i>	↔	↔	₩	€9	9 9	TOTAL \$	
Unit Price	125.00	75.00	86.00	310.00	15000.00	33.00	490.00	335.00	20.00	01:10	7.00	15400.00 \$	01	
	₩.	↔	€	↔	↔	€9	. 69	€9	€9	ક્ર	↔	\$		
Unit Price in Words	one hundred thank five dolling	Seventy five dellars	eishty six dollars	2 three hundred ten dollars	fifteen thrusand dollars	Hirty three dollars	tour four ninets dellars	three handred thirty five dollars		1,785 are dellar tencents	swen dollars	fifteen thousand four hundred belons 8		
Approx. Quantity	11	10	560	2	-	16,000	95	355	1,728	1,785	1,620	1		
Unit	5	F	SY	Ę	Б	SF	ζ	CY	ᅱ	SY	SY	LS		
Description	Concrete Pipe Culvert (15-Inch Diameter) -Class IV	6" PVC Stormpipe	Enviromat EL 400 Fabric Formed Concrete	Rubble Rip Rap	Box Culvert Headwall & Wingwall	Retaining Wall System (Interlocking Block Wall)	Retaining Wall System (Gabion Wall)	Reno Mats (Ditch Bottom)	Remove & Reinstall Ex. Chainlink Fence	Hydroseed (Bahia at Reno Mats, Gabions and Enviromats)	Hydroseed (Hydramax-Bahia Mix at bank slope)	Temporary Imgation		
Item No.	0430-1	0430-2	0524-1	0530-1	0535-1	0548-1	0548-2	0548-3	0550-1	0570-1	0570-2	0590-1		

Contract 14-C-00030; Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard)

one million for		•		
•			· ' ' ()	coms.
Computed Total Price in Figure				
he bidder acknowledges that ave been taken into account	t the following addend in this proposal: #19	da have been received -311 #2 -411 #3 -2-1 #4	and that the change and #5	es covered by the addendum
he bidder acknowledges the	requirements of the	City of Tampa's Equal i	Business Opportunit	ty Program.
idder acknowledges that inc ne Florida Trench Safety Act ummarized below:	luded in the various i (90096), (Laws of Fla	tems of the proposal a a.) effective October 1,	nd the Total Bid Pri 1990. The bidder f	ce are costs for complying w further identifies the costs to
Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost
Slope Method Trenchbon	<u>L</u> F	2044	4.00	8176.00
		· · · · · · · · · · · · · · · · · · ·		
<u></u>				
). <u> </u>				
			Total Cost \$_8	76.00
igned MM				

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

(Name of Bank or Surety) of Buston Massachusetts (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 September 16, 2014

(Name of Bidder)

5319 Core Rd, Tampa, F1 33610 (Address of Bidder)

Vice President

Title)

Where Bidder is a Corporation:

Attest

Assistant Secretary

AFFIX CORPORATE SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF Florida)	
COUNTY OF Hillsborough) SS:	
For a Corporation:	
STATE OF Find- COUNTY OF Hillsborough	
The foregoing instrument was acknowledged before me this <u>lb</u> Kammus t Roedvets, Inc., a <u>m:</u> corporation, on behalf produced as identification.	of <u>September</u> , 2014 by <u>Marcus & Tidy 5'</u> of the corporation. <u>He</u> /she is <u>K</u> personally known or has
produced do identification.	Mone Hanon Notary
	My Commission Expires:
	YVONNE HARRISON MY COMMISSION # FF 005118
For an Individual:	EXPIRES: April 3, 2017 Bonded Thru Notary Public Underwriters
STATE OF	
The foregoing instrument was acknowledged before me this who is personally known to me or has produced	of, 2014 by as identification. Notary My Commission Expires:
For a Firm:	
STATE OF	
The foregoing instrument was acknowledged before me this who signed on behalf of the said firm. He/she is personally identification.	of, 2014 byas
	Notary
	My Commission Expires:

TAMPA BID BOND

Contract 14-C-00030; Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard)

KNOW ALL MEN BY THESE PRESENTS, that we, Kamminga & Roodvoets, 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 _, and authorized to do _, with its principal offices in the City of Boston Massachusetts 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, Whatley Ditch Rehabilitation (Hillsborough River to North Boulevard). 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 9th day of September .2014. Principal TITLE Michelle Buechel, Attorney-in-fact Countersigned: (SEAL) 7264 Kyle Court, Unit B, Sarasota, FL 34240 Local Resident Producing Agent's Address Guy Hurley of Florida, LLC Name of Local 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. 6611398

any business day

5

g

Power of Attorney ca

this Ö 5

00 am and 4:30 pm

I-610-832-8240 between confirm the validity

0

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. Anne Barick; Holly Nichols; Michael D. Lechner; Michelle Buechel; Paul M. Hurley; Richard S. McGregor; Robert D. Heuer; T. R. Guy

, state of Mi each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge all of the city of Troy 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 2014 thereto this 16th day of June



STATE OF PENNSYLVANIA COUNTY OF MONTGOMERY

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

David M. Carey, Assistant Secretary

_____2014_, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and On this 16th day of June 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 sa Pastalia, Notery Public Phymoidh Two Morngomery County My Commission Expires March 28, 2017

Mamhar Penindwegis Assorbitos of Notarios

eresa 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



W. Davenport, Assistant Secretary



CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

Minority and Small Business Development

DATE:

November 19, 2014

TO:

David Vaughn, Director of Contract Administration Department.

FROM:

Gregory K. Hart, Minority Business Development Manager

RE:

SLBE/WMBE Utilization & Solicitation Evaluation

PROJECT:

14-C-00030: Whatley Ditch Rehabilitation (N. Boulevard to Hillsborough River)

LOW BIDDER:

Kamminga & Roodvoets, Inc.

BID AMOUNT:

\$1,444,766.50

SLBE/Underutilized-WMBE Subcontract Goal:

10.30%

SLBE/U-WMBE Goal Attainment:

2.25%

Good Faith Effort Compliance:

SUFFICIENT

The Minority and Small Business Development Office evaluated the Good Faith Effort Compliance Plan (GFECP) submitted by Kamminga & Roodvoets 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 commensurate with the goal. The detailed Compliance Report is attached and should be made a part of project file

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 project-specific goal is considered ancillary. Ancillary participation is counted in the overall participation, but not credited toward achieving a narrowly tailored project-specific goal.

Compliance Statement: Total SLBE/U-WMBE goal participation is 2.25% of which 1.7% represents BBE and 0.55 % Non-Minority SLBE. Additionally, the bidder achieved ancillary WBE participation of 4.35%, resulting in overall attainment of 6.6% SLBE/WMBE.

SLBE//U-WMBE Goal Attainment

Certification	Classification	Classification	Totals
DUALSLBE/WMBE	BBE = 1.7%	WBE = 0.06%	1.76%
SLBE Only			0.49%

Ancillary WMBE Participation

CertificationClassificationTotalsWMBEWBE = 4.35%4.35%

Gregory K

GKH:/GKS Attachment

Cc:

City Attorney (w/a)

Transportation Department (w/a)

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

