

Bid

RESOLUTION NO: 2014- 716

CAD/vm

A RESOLUTION ACCEPTING THE PROPOSAL OF JVA CONSTRUCTION, INC. PERTAINING TO CONTRACT 14-C-00043; HYDE PARK GATEWAY IMPROVEMENTS, IN THE AMOUNT OF \$423,472; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 15, 2014, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Hyde Park Gateway Improvements, and recommends to this Council that the proposal of JVA Construction, 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 JVA Construction, Inc. in the total amount of \$423,472 for construction of the Hyde Park Gateway 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.

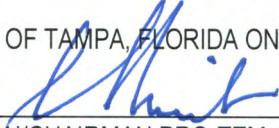
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

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 award of a contract for construction services in the amount of \$423,472 for the Hyde Park Gateway Improvements project within the Community Investment Tax Capital Projects Fund.

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON OCT 16 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% for Art: No

4/2014-44

City of Tampa
BID TABULATION
Contract 14-C-00043; Hyde Park Gateway Improvements
Bid Opening - July 15, 2014
Posted July 15, 2014

CONTRACTOR	TOTAL BID AMOUNT
JVA Construction, Inc	\$423,472.00
Bayshore Contracting Corporation	\$466,547.00
Nelco Diversified, Inc	\$597,000.00
Green Construction Technologies, Inc	\$742,707.00
Kloote Contracting, Inc	\$1,085,000.00

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

PROPOSAL

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

Name of Bidder JVA Construction, Inc

(813) 254-0245
Business Phone Number and Email Address

JVA Construction, Inc P.O. Box 320582
Business Name and Mailing Address

(813) 841-5874 Jannet Varon
Phone Number and Name of Contact Regarding Permits

Jannet Varon Federal ID# 20-2190927
Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal July 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 Florida

Names and Address of President
Jannet Varon
4013 W. Jetton Ave. Tampa FL 33629

Name and Address of Vice President
Miguel Camargo
4013 W. Jetton Ave. Tampa FL 33629

Name and Address of Secretary
Roberta Winn
3810 W. Barcelona Street Tampa FL 33629

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 14-C-00043; Hyde Park Gateway 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 central fountain and pavilion with site sidewalks and furnishings, new decorative brick and wrought iron fencing, major site landscaping which includes large shade trees and accent palm trees, any Contingency Allowances that may be listed in Section 01020 with all associated work required for a complete project in accordance with the Contract Documents.</p> <p><u>Four hundred twenty three thousand four hundred seventy two</u> dollars and <u>zero</u> cents</p>	<p>(BASE BID) LS \$ <u>423,472</u>⁰⁰</p>

Computed Total Price In Words:

Four hundred twenty three thousand four hundred
seventy two dollars and zero cents.

Computed Total Price in Figures: \$ 423,472⁰⁰

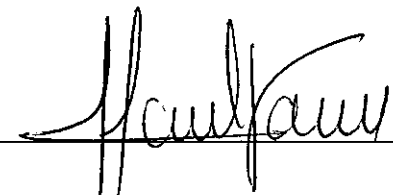
The bidder acknowledges that the following addenda have been received and that the changes covered by the addendum(s) have been taken into account in this proposal: #1 #2 #3 #4 #5 .

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>Silt fence</u>	<u>LF</u>	<u>240</u>	<u>\$ 2.00</u>	<u>\$ 480⁰⁰</u>
B.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
C.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
D.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Total Cost \$ 480⁰⁰

Signed 

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

Contract 14-C-00043; Hyde Park Gateway 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

Developers Surety & Indemnity Co. of St Petersburg, Florida
(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 July 15, 2014

JVA Construction, Inc
(Name of Bidder)

2311 W. Main St Ste 300 Tampa FL
(Address of Bidder)

[Signature]
(Signature)

President
(Title)

Where Bidder is a Corporation:

Attest:
Roberta Wina
Secretary

AFFIX
CORPORATE
SEAL

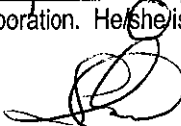
(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF Florida)
COUNTY OF Hillsborough) SS:

For a Corporation:

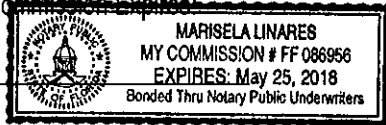
STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 15 of July, 2014 by Jannet Varon of JVA Construction, Inc. a Florida corporation, on behalf of the corporation. He/she is personally known or has ___ produced ___ as identification.



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:

TAMPA BID BOND
Contract 14-C-00043; Hyde Park Gateway Improvements

KNOW ALL MEN BY THESE PRESENTS, that we, J.V.A. Construction, Inc.

(hereinafter called the Principal) and Developers Surety and Indemnity 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 St. Petersburg, FL, 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 14-C-00043, Hyde Park Gateway 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 8th day of July, 2014.

Principal

J.V.A. Construction, Inc.
BY [Signature]
TITLE President
Developers Surety and Indemnity Company
BY [Signature]
TITLE David B. Shick, Attorney in Fact and FL Resident Agent #A241176

(SEAL)

David B. Shick
Producing Agent

7217 Benjamin Road, Tampa, FL 33634
Producing Agent's Address

The Prosure Group, Inc.
Name of Agency

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

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY**
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby make, constitute and appoint:
David B. Shick

as its true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporation, as surety, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporation could do, but reserving to each of said corporation full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolution adopted by the Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, any Executive Vice-President, Senior Vice-President or Vice-President of the corporation be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporation be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY has caused these presents to be signed by its officers and attested by its Secretary or Assistant Secretary this May 23, 2013.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Gregg N. Okura*
Gregg N. Okura, Vice-President



State of California
County of Orange

On May 23, 2013 before me, Gina L. Garner, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Gregg N. Okura
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Gina L. Garner*
Gina L. Garner, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolution of the Board of Directors of said corporation set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 8th day of July, 2014.

By: *Mark J. Lansdon*
Mark J. Lansdon, Assistant Secretary



CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

Minority and Small Business Development

DATE: July 29, 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-00043: Hyde Park Gateway Improvements

LOW BIDDER: JVA Construction, Inc. (SLBE/HBE)

BID AMOUNT: \$423,472.00

SLBE/Underutilized-WMBE Subcontract Goal: 30.0%
SLBE/U-WMBE Goal Attainment: 32.1%
Good Faith Effort Compliance: SUFFICIENT – EXCEEDED GOAL

The prime contractor (JVA Construction, Inc.), a SLBE/HBE, exceeded the SLBE/U-WMBE Goal established on the project and provided the required documentation to support “goal-met” on DMI Forms submitted with bid. The detailed Compliance Report is attached and should be made a part of the project file.

Compliance Statement: Total SLBE/U-WMBE participation is 32.1%, of which 32.1% represents HBE.

Overall SLBE/WMBE Subcontract Participation

Certification Type	Classification	Totals
Dual SLBE/WMBE	HBE = 32.1%	32.1%



Gregory K. Hart, CPPA

GKH:/GKS

Attachment

Cc: City Attorney (w/a)
Parks & Recreation Department (w/a)

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


www.tampagov.net