

Bid

RESOLUTION NO. 2016- 388

A RESOLUTION ACCEPTING THE PROPOSAL OF ERWIN ELECTRIC, INC. PERTAINING TO CONTRACT 15-C-00042; HOWARD F. CURREN AWTP DIGESTION CONTROL BUILDING "A" MCC REPLACEMENT, IN THE AMOUNT OF \$299,000; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 15, 2016, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement, rejected the bid of Southern Industrial Electric, Inc. due to lack of proper license and recommends to this Council that the proposal of Erwin Electric, 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 Erwin Electric, Inc. in the total amount of \$299,000 for construction of the Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement, in accordance with plans, specifications and other related contract documents prepared by the Contract Administration Department, is hereby approved and accepted; and the Contract is hereby awarded to the said Contractor.

Section 2. This Resolution, which is not part of the contract documents, authorizes the Mayor to execute and the City Clerk to attest and affix the official seal of the City of Tampa to the Contract for and on behalf of the City of Tampa.

Section 3. Plans, specifications and contract documents for the construction of said Project, which documents are now on file in the office of the Contract Administration Department of the City of Tampa, are hereby approved in their entirety or in substantially similar form.

Section 4. The Director of the Contract Administration Department is hereby authorized to issue, in written form only, work directive changes authorizing additions, deletions or revisions resulting from unforeseen conditions or emergencies, said directives to be incorporated in subsequently issued change orders approved by the City Council.

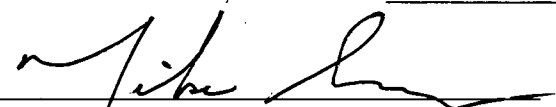
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

Section 6. The bid security of the bidders shall be returned in accordance with the provisions of the contract documents for this project.

Section 7. This will provide \$299,000 for the Howard F. Curren Advanced Wastewater Treatment Plant Digestion Control Building "A" MCC Replacement project for the Wastewater Department within the Wastewater Capital Improvement 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 MAY 19 2016


CHAIRMAN/CHAIRMAN PRO-TEM, CITY COUNCIL

APPROVED AS TO LEGAL SUFFICIENCY BY:
Rachel S. Peterkin, Assistant City Attorney

ATTEST:


CITY CLERK/DEPUTY CITY CLERK

*1% for Art: No

1/2016-1K

2

Contract 15-C-00042; Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement

PROPOSAL

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

Name of Bidder DOUGLAS ERWIN

(813) 855-0048 DOUG@ERWINELECTRIC.COM

Business Phone Number and Email Address

ERWIN ELECTRIC, INC. 13817 MONROES BUSINESS PARK TAMPA, FLORIDA 33635

Business Name and Mailing Address

NANCY GERMAN (813) 855-0048

Phone Number and Name of Contact Regarding Permits

DOUG ERWIN 59-3490070

Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal 3/15/2016

(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

ROBIN ERWIN 3596 WOODRIDGE PLACE PALM HARBOR, 34684

Name and Address of Vice President

S DOUGLAS ERWIN 3596 WOODRIDGE PLACE PALM HARBOR, 34684

Name and Address of Secretary

ROBIN ERWIN 3596 WOODRIDGE PLACE PALM HARBOR, 34684

Names and Address of Treasurer

S DOUGLAS ERWIN 3596 WOODRIDGE PLACE PALM HARBOR, 34684

Contract 15-C-00042; Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement

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 15-C-00042; Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement

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 electrical demolition, removal and replacement of the existing HFC AWTP Digestion Control Building A Motor Control Center MCC-62, a control cabinet, gas detector, and magnetic flow meter, any contingency allowances as stated in SP-60, and with all associated work required for a complete project in accordance with the Contract Documents.	
TWO HUNDRED NINETY NINE THOUSAND dollars			
and 00 cents			
(BASE BID) LS			\$ 299,000.00

Executed in 2 Counterpart(s)

TAMPA BID BOND

Contract 15-C-00042, Howard F Curren AWTP Digestion Control Building "A" MCC Replacement

KNOW ALL MEN BY THESE PRESENTS, that we, Erwin Electric, Inc.

(hereinafter called the Principal) and Merchants Bonding Company (Mutual)

(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 Des Moines, 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 15-C-00042

Howard F Curren AWTP Digestion Control Building "A" MCC Replacement

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 1st day of March, 2016.

Principal

Erwin Electric, Inc.

BY [Signature]

TITLE [Signature]

Merchants Bonding Company (Mutual)

BY [Signature]

TITLE Glenn Arvanitis

Attorney-In-Fact & FL Lic. Resident Agent

(SEAL)

Glenn Arvanitis

Producing Agent

527 Paula Drive South, Dunedin, FL 34698

Producing Agent's Address

Florida Surety Bonds, Inc.

Name of Agency

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

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Cheryl Foley; Don Bramlage; Glenn Arvanitis; Gloria A Richards; Jeffrey W Reich; Kim E Niv; Leslie M Donahue; Lisa Roseland; Patricia L Slaughter; Sonja Amanda Floree Harris; Susan L Reich; Teresa L Durham

their true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver on behalf of the Companies, as Surety, bonds, undertakings and other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

EIGHT MILLION (\$8,000,000.00) DOLLARS

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 5th day of November, 2015.



MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*

President

STATE OF IOWA
COUNTY OF Dallas ss.

On this 5th day of November, 2015, before me appeared Larry Taylor, to me personally known, who being by me sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Wendy Woody
Notary Public, Polk County, Iowa

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1st day of March, 2016.



William Warner Jr.
Secretary

Contract 15-C-00042; Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement

Computed Total Price In Words:

TWO HUNDRED NINETY NINE THOUSAND dollars and 00 cents.

Computed Total Price in Figures: \$ 299,000.00

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.	_____	_____	_____	_____	_____
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____
				NOT APPLICABLE	
				(0.00)	
				Total Cost \$	_____

Signed  _____ (DOUGLAS ERWIN) VP

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

Contract 15-C-00042; Howard F. Curren AWTP Digestion Control Building "A" MCC Replacement

Accompanying this Proposal is a certified check, cashier's check or Bid Bond (form included herein must be used) for at least five (5) percent of the total amount of the Proposal which check shall become the property of the 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 Public Construction 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 MARCH 15 , 20 16

 DOUGLAS ERWIN

(Name of Bidder)

 13817 MONROES BUSINESS PARK

(Address of Bidder)

(Signature)

 VICE PRESIDENT

(Title)

Where Bidder is a Corporation:

Attest:

 
Secretary

AFFIX
CORPORATE
SEAL

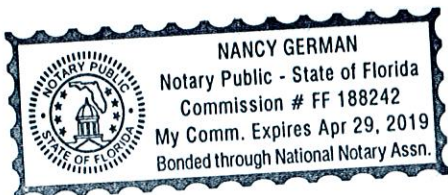
(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF Florida)
) SS:
COUNTY OF Hillsborough)

For a Corporation:

STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 15 of March, 2026 by Doug Erwin of Erwin Electric, a _____ corporation, on behalf of the corporation. He/she is personally known or has _____ produced _____ as identification.



[Signature]
Notary

My Commission Expires:

04-29-19

For an Individual:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ of _____, 20__ 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 _____, 20__ by _____ who signed on behalf of the said firm. He/she is ___ personally known or has ___ produced _____ as identification.

Notary

My Commission Expires:
