

Bid

RESOLUTION NO. 2016- 307

**A RESOLUTION ACCEPTING THE PROPOSAL OF CERTUS BUILDERS, INC. PERTAINING TO CONTRACT 16-C-00009; SCOTT STREET IMPROVEMENTS, IN THE AMOUNT OF \$801,830; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on February 23, 2016, the Mayor received a bid, tabulation of such bid being hereto attached for informational purposes, for the construction of Scott Street Improvements, and recommends to this Council that the proposal of Certus Builders, 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 Certus Builders, Inc. in the total amount of \$801,830 for construction of the Scott Street 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.

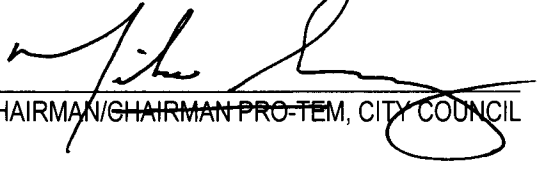
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

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

Section 7. Award of this contract for construction of the Scott Street Improvements project for \$801,830 for the Parks and Recreation Department is within the Parks and Recreation Grants Capital Projects Fund.

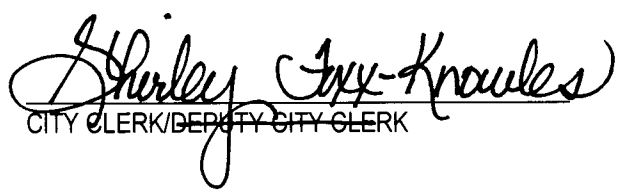
Section 8. Other proper officers of the City of Tampa are authorized to do all things necessary and proper in order to carry out and make effective the provisions of this Resolution, which shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON APR 21 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

4/2016-7

**City of Tampa  
BID TABULATION**

**Contract 16-C-00009; Scott Street Improvements**

**Bid Opening - February 23, 2016**

Posted February 23, 2016

<b>CONTRACTOR</b>	<b>TOTAL BID AMOUNT</b>
Certus Builders, Inc	\$801,830.00

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*

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Jim Greiner, P.E.  
City of Tampa - Contract Administration Department  
306 E. Jackson Street - 4N  
Tampa, FL 33602

Contract 16-C-00009; Scott Street Improvements

ALB

PROPOSAL

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

Name of Bidder Certus Builders, Inc.

813-443-4990 dsumner@certusbuilders.com  
Business Phone Number and Email Address

Certus Builders, Inc., Tampa, FL 33606  
Business Name and Mailing Address

813-443-4990 Dean Sumner  
Phone Number and Name of Contact Regarding Permits

Dean Sumner 27-1232861  
Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal 2/23/2016

(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 Florida

Names and Address of President

Sharon Sumner

7408 S. Desoto St., Tampa, FL 33616

Name and Address of Vice President

Dean Sumner

7408 S. Desoto St., Tampa, FL 33616

Name and Address of Secretary

Sharon Sumner

same as above

Names and Address of Treasurer

Sharon Sumner

same as above

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 16-C-00009; Scott Street 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 construction of storm water infiltration planters, sediment basins and curbing along with landscaping, concrete walkways with brick inlay and site furnishings, 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.  <u>Eight hundred one thousand</u> <u>eight hundred thirty</u> dollars and <u>no</u> cents  (BASE BID)      LS	\$ <u>801,830.00</u>

Contract 16-C-00009; Scott Street Improvements

Computed Total Price In Words:

Eight hundred one thousand eight hundred thirty dollars and no cents.

Computed Total Price in Figures: \$ 801,830.00

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.	<u>open cut excavation</u>	<u>LF</u>	<u>1,200</u>	<u>\$2.50/lf</u>	<u>\$3,000</u>
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____
D.	_____	_____	_____	_____	_____
				Total Cost \$	<u>3,000</u>

Signed Sharon Sumner

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

Contract 16-C-00009; Scott Street Improvements

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 February 23, 2016

Certus Builders, Inc.  
(Name of Bidder)

304 S. Westland Ave., Tampa, FL 33606  
(Address of Bidder)

Shawn A. Sumner  
(Signature)

President  
(Title)

Where Bidder is a Corporation:

Attest: Shawn A. Sumner  
Secretary

AFFIX  
CORPORATE  
SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF HILLSBOROUGH )

For a Corporation:

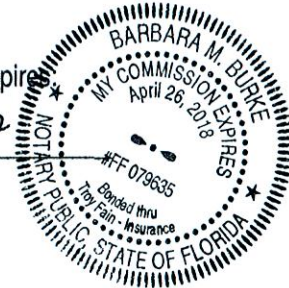
STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 23 of FEBRUARY, 2016 by SHARON SUMNER  
of CERTUS BUILDERS, a \_\_\_\_\_ corporation, on behalf of the corporation. He/she is  personally known or  
has \_\_\_ produced \_\_\_\_\_ as identification.

Barbara M. Burke  
Notary

My Commission Expires

4-26-18



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:

\_\_\_\_\_

\_\_\_\_\_



TAMPA BID BOND  
Contract 16-C-00009; Scott Street Improvements

KNOW ALL MEN BY THESE PRESENTS, that we, Certus Builders Inc

(hereinafter called the Principal) and Bankers 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 St. Petersburg, 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 16-C-00009, Scott Street 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 23rd day of February, 2016.

Principal

Certus Builders Inc

BY Sharon A. Sumner

TITLE Sharon A. Sumner, President

Bankers Insurance Company

BY Brad Quiri

TITLE Brad Quiri, Attorney-in-Fact

Brad Quiri

Producing Agent

1408 N. Westshore Blvd., Suite 120 Tampa, FL 33607

Producing Agent's Address

CCI Surety, Inc.

Name of Agency

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





# CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

## Minority and Small Business Development

DATE: March 17, 2016  
 TO: Michael Chucran, Director, Contract Administration Department  
 FROM: Gregory K. Hart, Minority Business Development Manager  
 RE: SLBE/WMBE Utilization & Solicitation Evaluation

**PROJECT:** 16-C-00009: Scott Street Improvements  
**LOW BIDDER:** Certus Builders, Inc.  
**BID AMOUNT:** \$801,830.00  
**SLBE/Underutilized WMBE Subcontract Goal:** 20.0%  
**SLBE/U-WMBE Goal Attainment:** 2.67%  
**Good Faith Effort Compliance:** SUFFICIENT

The Minority and Small Business Development Office evaluated the Good Faith Effort Compliance Plan (GFCEP) submitted by Certus Builders 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 project-specific goal was calculated on the basis of two (2) subcontractable trade areas where the requisite available certified firms were identified from the availability pool of twenty-one (21) firms. The detailed Compliance Report is attached and should be made a part of the 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 and may be credited toward meeting the narrowly-tailored goal when underutilization criteria are met.*

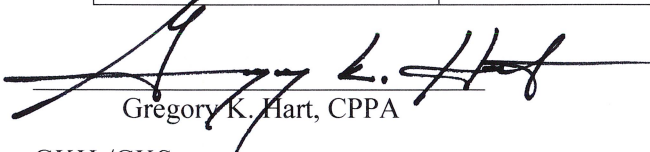
**Compliance Statement:** Total SLBE/U-WMBE participation is 2.67%, of which 1.31% represents WBE/SLBE and 1.36% represents Non-Minority Small Business. Also, the bidder achieved 16.53% of ancillary participation, of which 15.82% is HBE and .71% is WBE. Including ancillary participation, Overall Total Participation is 19.20%.

### SLBE/U-WMBE Subcontract Goal Attainment

Certification Type	Classification	Totals
DUAL SLBE/WMBE	WBE = 1.31%	1.31%
SLBE Only		1.36%

### Ancillary WMBE Participation

Certification	Classification	Totals
WMBE	HBE	15.82%
WMBE	WBE	0.71%

  
 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