

Bid

RESOLUTION NO. 2017- 817

**A RESOLUTION ACCEPTING THE PROPOSAL OF ELECTRICAL ENGINEERING ENTERPRISES, INC. PERTAINING TO CONTRACT 17-C-00034; HOWARD F. CURREN AWTP LARGE MOTOR SOFTSTART MODIFICATIONS - REBID, IN THE AMOUNT OF \$238,596; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on August 15, 2017, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Howard F. Curren AWTP Large Motor Softstart Modifications - Rebid, and recommends to this Council that the proposal of Electrical Engineering Enterprises, 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 Electrical Engineering Enterprises, Inc. in the total amount of \$238,596 for construction of the Howard F. Curren AWTP Large Motor Softstart Modifications - Rebid, 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.

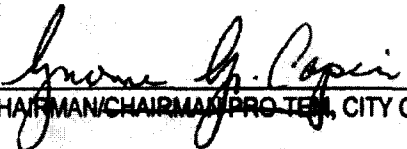
Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

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 \$238,596 for the Howard F. Curren Advanced Wastewater Treatment Plant Large Motor Softstart Modifications project for use by the Wastewater Department within the Wastewater Capital Construction 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 05 2017

  
WAYNE G. PAPER, CHAIRMAN/CHAIRMAN PRO TEM, CITY COUNCIL

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

ATTEST:

  
SHIRLEY JAY-KNOWLES, CITY CLERK/DEPUTY CITY CLERK

\*1% for Art: No

1/2017-25





ALB

PROPOSAL

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

Legal Name of Bidder: ELECTRICAL ENGINEERING ENTERPRISES, INC

Bidder's Fictitious Name, if applicable: \_\_\_\_\_

Bidder is a/an:  Individual  Partnership\*  Joint Venture\*  LLC  Corp.  Other:

Bidder is organized under the laws of:  State of Florida  Other:

Bidder Mailing Address: 5316 E. HENRY AVE, TAMPA, FL 33610

Bidder's Federal Employee Identification No. (FEI/EIN): 59-3554532

Bidder's License No.: EC0000526 Bidder's FDOS (SUNBIZ) Doc. No.: \_\_\_\_\_

(See Ch. 489, FS; use entity's, individual's only if applicable)

Bidder Contact Name\*: KENT CLEARWATERS Email: CLEARWATERS@ELECT ENG.COM Phone: (813) 740-9601

Bidder's own initial application for employment has criminal history screening practices similar in nature to the practices contained in Chapter 12, Article VI, City of Tampa Code (Responses, whether "Yes" or "No", are for informational purposes only and will not be used as a basis of award or denial, nor as a basis for any protest):  Yes  No

The below named person, appearing before the undersigned authority and after being first duly sworn, for him/herself and on behalf of the entity submitting this Proposal does hereby affirm and declare as follows:

- (1) He/She is of lawful age and is authorized to act on behalf of Bidder (the individual, partnership, corporation, entity, etc. submitting this Proposal) and that all statements made in this document are true and correct to the best of my knowledge.
- (2) If Bidder is operating under a fictitious name, Bidder has currently complied with any and all laws and procedures governing the operation of businesses under fictitious names in the State of Florida
- (3) No person or entity other than Bidder has any interest in this Proposal or in the Contract proposed to be entered into.
- (4) This Proposal is made without any understanding, agreement, or connection with any person or entity making Proposal for the same purposes, and is in all respects fair and without collusion or fraud.
- (5) 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.
- (6) 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.
- (7) Bidder has carefully examined and fully understands the Solicitation and has full knowledge of the scope, nature, and quality of the work to be performed; furthermore, 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.
- (8) Bidder (including its principals)  has |  has NOT been debarred or suspended from contracting with a public entity.
- (9) Bidder  has |  has NOT implemented a drug-free workplace program that meets the requirements of Section 287.087, Florida Statutes.
- (10) Bidder has carefully examined and fully understands all the component parts of the Contract Documents and agrees Bidder will execute the Contract, provide the required Public Construction Bond, and will fully perform the work in strict accordance with the terms of the Contract and Contract Documents therein referred to for the following prices, to wit:

\* If a Partnership or Joint Venture, attach Partnership or Joint Venture Agreement.

\*\* Someone the City may contact with questions/correspondence regarding this Solicitation and/or permits

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 to modify and provide Arc Flash protection to 15 soft starters. The work consists of removing the existing circuit protectors or circuit breakers and replacing them with new circuit breakers with shunt trip provision; installation of motor management relays, control relays, timing relays, fuses, conductors, current transformers, pilot lights, placards, new 120V control power circuits, any allowances that may be stated in SP-60, and with all associated work required for a complete project in accordance with the Contract Documents.</p>	<p><u>Two hundred - thirty - eight Thousand</u>  <u>Five hundred - ninety - six</u> <sup>KCC</sup> dollars                      and <u>0</u> cents                      (BASE BID) LS \$ <u>238,596.00</u> <sup>KCC</sup></p>

Contract 17-C-00034; Howard F. Curren AWTP Large Motor Softstart Modifications - Rebid

Computed Total Price in Words: Two hundred and thirty-eight thousand, five hundred and ninety-six <sup>xxx</sup> dollars and 00 cents.

Computed Total Price in Figures: \$ 238,596.00 <sup>xxx</sup>

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 \_\_\_ #6 \_\_\_ #7 \_\_\_ #8 \_\_\_

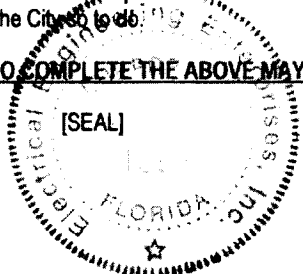
Bidder acknowledges the requirements of the City of Tampa's Equal Business Opportunity Program.

Bidder acknowledges that it is aware of Florida's Trench Safety Act (Sections 553.60-553.64, Florida Statutes), and agrees that Bidder together with any involved subcontractors will comply with all applicable trench safety standards. Bidder further acknowledges that included in the various items of this Proposal and the total bid price (as applicable) are costs for complying with the Trench Safety Act. Bidder further identifies the costs and methods summarized below:

	Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost
A.	<u>N/A</u>				
B.					
C.					
<b>Total Cost: \$</b>					

Accompanying this Proposal is a certified check, cashier's check or Tampa Bid Bond (form included herein must be used) for at least five percent (5%) of the total amount of the Proposal which check shall become the property of the City, or which bond shall become forthwith due and payable to the City, if this Proposal shall be accepted by the City and the Bidder shall fail to enter into a legally binding contract with and to furnish the required Public Construction Bond to the City within twenty (20) days after the date of its receipt of written Notice of Award by the City to do:

**FAILURE TO COMPLETE THE ABOVE MAY RESULT IN THE PROPOSAL BEING DECLARED NON-RESPONSIVE.**

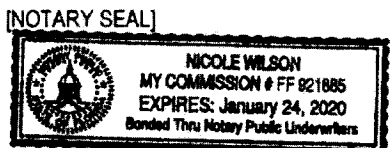


Name of Bidder: Electrical Engineering Enterprises, Inc.  
Authorized Signature: Wayne Ellis  
Signer's Printed Name: Wayne H. Ellis  
Signer's Title: \_\_\_\_\_

STATE OF Florida  
COUNTY OF Hillsborough

For an entity: The forgoing instrument was sworn (or affirmed) before me this 14 day of August, 2017 by Wayne Ellis as President of Electrical Engineering Enterprises, a/n  Partnership  Joint Venture  LLC  Corp  Other: \_\_\_\_\_, on behalf of such entity. Such individual is  personally known to me or  produced a/n \_\_\_\_\_ state driver's license as identification.

For an individual: The forgoing instrument was sworn (or affirmed) before me this 14 day of August, 2017 by \_\_\_\_\_, who is  personally known to me or  produced a/n \_\_\_\_\_ state driver's license as identification.



Nicole Wilson  
Notary Public, State of Florida  
Notary Printed Name: Nicole Wilson  
Commission No.: January 24, 2020 (C)  
My Commission Expires: FF 921885

TAMPA BID BOND  
Contract 17-C-00034; Howard F. Curren AWTP Large Motor Softstart Modifications - Rebid

KNOW ALL MEN BY THESE PRESENTS, that we, Electrical Engineering Enterprises, Inc.

(hereinafter called the Principal) and FCCI 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 Sarasota, 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 17-C-00034, Howard F. Curren AWTP Large Motor Softstart Modifications - Rebid.

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 14th day of August, 2017.

Principal

Electrical Engineering Enterprises, Inc.

BY [Signature]

TITLE President

BY [Signature]

TITLE Sr. Sales Eng.

[Signature]

Producing Agent Jennifer A Fava

(SEAL)

11470 N. 53rd Street, Temple Terrace, FL 33617

Producing Agent's Address

Associates Agency, Inc.

Name of Agency

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

More than a policy. A promise.

**GENERAL POWER OF ATTORNEY**

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Michael Rogers; Jason Farquhar; Jennifer A Fava; Trevor McCarthy;

Barry Ryan; Charlie Salyer; Sharon E Taylor; Tracy E Todd

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$5,000,000): **\$5,000,000.00**

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 22<sup>ND</sup> day of September, 2011.

Attest: Craig Johnson  
Craig Johnson, President  
FCCI Insurance Company



Thomas A. Koval  
Thomas A. Koval Esq., EVP, Chief Legal Officer,  
Government Affairs and Corporate Secretary  
FCCI Insurance Company

State of Florida  
County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2020



Arlene Alonso  
Notary Public

State of Florida  
County of Sarasota

Before me this day personally appeared Thomas A. Koval, Esq., who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2020



Arlene Alonso  
Notary Public

**CERTIFICATE**

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 14<sup>th</sup> day of August 2017

Thomas A. Koval  
Thomas A. Koval, Esq., EVP, Chief Legal Officer,  
Government Affairs and Corporate Secretary







# Good Faith Effort Compliance Plan Guidelines

for Women/Minority Business Enterprises/Small Local Business Enterprise Participation  
City of Tampa - Equal Business Opportunity Program  
(MBD Form 50 - detailed instructions on page 2 of 2)

Contract Name LARGE MOTOR SOFTSTART MCO. Bid Date 8/15/17  
Bidder/Proposer ELECTRICAL ENG. ENTERPRISES, INC  
Signature [Signature] Date 8/14/17  
Name KENT CLEARWATERS Title SR. SALES ENG.

The Compliance Plan with attachments is a true account of Good Faith Efforts (GFE) made to achieve the participation goals as specified for Women/Minority Business Enterprises/Small Local Business Enterprises (WMBE/SLBE) on the referenced contract:

The WMBE/SLBE participation Goal is Met or Exceeded. See DMI Forms 10 and 20 which accurately report all subcontractors solicited and all subcontractors to-be-utilized.

The WMBE/SLBE participation Goal is Not Achieved. The following list is an overview of the baseline GFE action steps already performed. Furthermore, it is understood that these GFE requirements are weighted in the compliance evaluation based on the veracity and demonstrable degree of documentation provided with the bid/proposal:

(Check applicable boxes below. Must enclose supporting documents accordingly with remarks)

- (1) Solicited through reasonable and available means the interest of WMBE/SLBEs that have the capability to perform the work of the contract. The Bidder or Proposer must solicit this interest within sufficient time to allow the WMBE/SLBEs to respond. The Bidder or Proposer must take appropriate steps to follow up initial solicitations with interested WMBE/SLBEs.  See DMI report forms for subcontractors solicited.  See enclosed supplemental data on solicitation efforts.  Qualifying Remarks:
- (2) Provided interested WMBE/SLBEs with adequate, specific scope information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the requested-scope identified by bidder/proposer for the solicitation.  See enclosed actual solicitations used.  Qualifying Remarks:
- (3) Negotiated in good faith with interested WMBE/SLBEs that have submitted bids (e.g. adjusted quantities or scale). Documentation of negotiation must include the names, addresses, and telephone numbers of WMBE/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 WMBE/SLBEs to perform the work. Additional costs involved in soliciting and using subcontractors is not a sufficient reason for a bidder/proposer's failure to meet goals or achieve participation, as long as such costs are reasonable. Bidders are not required to accept excessive quotes in order to meet the goal.  DMI Utilized Forms for sub-(contractor/consultant) reflect genuine negotiations  This project is an RFQ/RFP in nature and negotiations are limited to clarifications of scope/specifications and qualifications.  See enclosed documentation.  Qualifying Remarks:
- (4) Not rejecting WMBE/SLBEs as being unqualified without justification based on a thorough investigation of their capabilities. The WMBE/SLBEs standing within its industry, membership in specific groups, organizations / associations and political or social affiliations are not legitimate causes for rejecting or not soliciting bids to meet the goals.  Not applicable.  See attached justification for rejection of a subcontractor's bid or proposal.  Qualifying Remarks:
- (5) Made scope(s) of work available to WMBE/SLBE subcontractors and suppliers; and, segmented portions of the work or material consistent with the available WMBE/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.  Qualifying Remarks:
- (6) Made good faith efforts, despite the ability or desire of Bidder/Proposer to perform the work of a contract with its own forces/organization. A Bidder/Proposer who desires to self-perform the work of a contract must demonstrate good faith efforts if the goal has not been met.  Sub-Contractors were not prohibited from submitting bids/proposals and were solicited on work typically self-performed by the prime.  Qualifying Remarks:
- (7) Segmented portions of the work to be performed by WMBE/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 (quantities/scale) to facilitate WMBE/SLBE participation, even when the Bidder/Proposer 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/proposals and were solicited on work typically self-performed by the prime.  See enclosed comments.  Qualifying Remarks:
- (8) Made efforts to assist interested WMBE/SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or contractor.  See enclosed documentation on initiatives undertaken and methods to accomplish.  Qualifying Remarks:
- (9) Made efforts to assist interested WMBE/SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in an acceptable mentor-protégé program.  See enclosed documentation of initiatives and/or agreements.  Qualifying Remarks:
- (10) Effectively used the services of the City and other organizations that provide assistance in the recruitment and placement of WMBE/SLBEs.  See enclosed documentation.  The following services were used:

Note: Provide any unsolicited information that will support the Bid/RFP Compliance Evaluation.  Named Documents Are:





*Buckhorn*

RESOLUTION NO. 2017- 818

A RESOLUTION MAKING CERTAIN CHANGES IN THE BUDGET OF THE CITY OF TAMPA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; APPROVING THE TRANSFER, REALLOCATION, AND/OR APPROPRIATION OF \$238,596 WITHIN THE WASTEWATER CAPITAL CONSTRUCTION FUND FOR THE HOWARD F. CURREN ADVANCED WASTEWATER TREATMENT PLANT LARGE MOTOR SOFTSTART MODIFICATIONS PROJECT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, additional revenue or unappropriated surplus, or funds previously appropriated which are no longer needed for their original purpose, are available for transfer, reallocation and/or appropriation to accounts within the Wastewater Capital Construction Fund, and such transfer, reallocation and/or appropriation is for a necessary municipal purpose;

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, THAT:

Section 1. The transfer, reallocation, and/or appropriation of the sum of \$238,596 within the Wastewater Capital Construction Fund, as set forth below, is hereby approved.

**WASTEWATER CAPITAL CONSTRUCTION FUND**

Expenditure Budget:

Wastewater Capital Projects - Neighborhood CIPP Rehabilitation  
Wastewater Capital Projects - H. F. Curren AWTP Large Motor Softstart Modifications

	<u>Increase</u>	<u>Decrease</u>
	\$ -	\$ 238,596
	\$ 238,596	\$ -
	<u>\$ 238,596</u>	<u>\$ 238,596</u>

Section 2. The changes in the Budget of the City of Tampa for the fiscal year ending September 30, 2018, as herein authorized, shall take effect immediately upon the adoption of this Resolution by the City Council and the approval thereof by the Mayor.

Section 3. The proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary 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 05 2017

*Guernie G. Caputo*  
\_\_\_\_\_  
CHAIR, CHAIR PRO TEM CITY COUNCIL

ATTEST:  
*Shirley Gove-Knowles*  
\_\_\_\_\_  
CITY CLERK/ DEPUTY CITY CLERK

APPROVED by me on OCT 06 2017

APPROVED AS TO LEGAL SUFFICIENCY:  
\_\_\_\_\_  
SALVATORE TERRITO  
CITY ATTORNEY

*Bob Buckhorn*  
\_\_\_\_\_  
BOB BUCKHORN, MAYOR

*B2017-2*