

*Brd
Agmt
C*

A RESOLUTION AFFIRMING, RATIFYING AND CONFIRMING THE AWARD OF CONTRACT 19-C-00053; DAVID L. TIPPIN WATER TREATMENT FACILITY SOLIDS PROCESSING SYSTEM IMPROVEMENTS, FOR THE BASE BID IN THE AMOUNT OF \$604,000 TO AGF ALLIANCE DESIGN & CONSTRUCTION, INC.; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 16, 2020, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of the David L. Tippin Water Treatment Facility Solids Processing System Improvements, deemed the proposal of AGF Alliance Design & Construction, Inc. to be acceptable, executed said Contract on an emergency basis, funds therefore being available in the appropriate account, and recommends to the Council that said execution be ratified;

NOW, THEREFORE,

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

Section 1. The proposal of AGF Alliance Design & Construction, Inc. in the total amount of \$604,000 for construction of the David L. Tippin Water Treatment Facility Solids Processing System Improvements, in accordance with plans, specifications and other related contract documents prepared by the Contract Administration Department, is hereby affirmed, ratified and confirmed.

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 Nunc Pro Tunc, July 15, 2020.

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. Funding for an award to AGF Alliance Design & Construction, Inc. for construction is available in the amount of \$604,000 for use by the David L. Tippin Solids Processing System Improvements Project within the Water Bonds – Series 2020 Capital Projects Fund.


Section 7. 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 SEP 03 2020



CHAIRMAN/CHAIRMAN PRO-TEM, CITY COUNCIL

APPROVED AS TO LEGAL SUFFICIENCY BY:
Janice M. McLean, Senior Assistant City Attorney

ATTEST:


CITY CLERK/DEPUTY CITY CLERK

*1% for Art: No

PW20-64164

Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Hillsborough

City of Tampa Bid 19-C-00053
David L. Tippin Water Treatment
Facility Solids Processing System
Improvements: Deadline 1:30 PM,
5/26/20. Download Bid from
DemandStar.com or
tampagov.net/contract-
administration/programs/
construction-contract-bidding.
4/22/2020 (79397)

} ss

Before the undersigned authority personally appeared Amy Robison who on oath says that he/she is Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: CITY OF TAMPA BID 19-C-00053 was published in Tampa Bay Times: 4/22/20 in said newspaper in the issues of Baylink Hillsborough

Affiant further says the said Tampa Bay Times is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

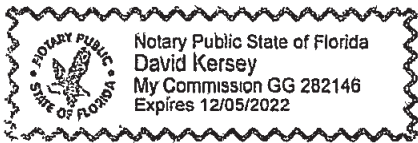
Amy Robison
Signature Affiant

Sworn to and subscribed before me this 04/22/2020

[Signature]
Signature of Notary Public

Personally known or produced identification

Type of identification produced _____



City of Tampa
BID TABULATION
Contract: 19-C-00053; David L. Tippin Facility Solids Processing System
Improvements
Bid Opening - June 16, 2020
 Posted June 16, 2020

CONTRACTOR	TOTAL BID AMOUNT
AGF Alliance Design & Construction, Inc.	\$604,000.00
Intercounty Engineering, Inc.	\$633,242.00
TLC Diversified, Inc.	\$1,177,325.00
Poole & Kent Company of Florida	\$1,497,929.00

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

ALB

PROPOSAL

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

Legal Name of Bidder: AGF Alliance Design & Construction, Inc.

Bidder's Fictitious Name, if applicable: AGF Alliance Design & Construction, Inc.

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: 12421 N Florida Avenue, Suite 218, Tampa, FL 33612

Bidder's Federal Employee Identification No. (FEI/EIN): 20-4011768

Bidder's License No.: CGC1510537 Bidder's FDOS (SUNBIZ) Doc. No.: _____
(See Ch. 489, FS; use entity's, individual's only if applicable)

Bidder Contact Name** : Astley G. Ferguson Email: agf.alliance@yahoo.com. Phone: (813) 494-0107

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 19-C-00053; David L. Tippin Facility Solids Processing System Improvements

Contract Item No.	Unit	Estimated Quantity	Description and Price in Words	Computed Total Price for Item in Figures
BASE BID	LS	1	The work includes the furnishing and installing four (4) ea. 8-inch dia. sludge thickener piping systems, valves, manholes, excavation work, selective demolition, concrete work, trenching, and with all associated work required for a complete project in accordance with the Contract Documents.	
			<u>Five Hundred Four</u> Thousand dollars and <u>00/100</u> cents	\$ <u>504,000.00</u>
Contingency	LS	1	One hundred thousand dollars and zero cents	\$ <u>100,000</u>
			TOTAL	\$ <u>604,000.00</u>

Computed Total Price in Words: Six Hundred and Four Thousand
 _____ dollars and 00/100 cents.

Computed Total Price in Figures: \$ 604,000.00

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 x #2 x #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.	Dewatering	LF	300	24.00	\$ 7,200.00
B.	Trench Box	LF	450	10.00	\$4,500.00
C.					
Total Cost: \$					<u>11,700.00</u>

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 so to do.

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

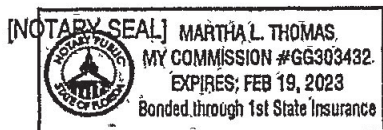
[SEAL]

Name of Bidder: AGF Alliance Design & Construction, Inc.
 Authorized Signature: *Astley G. Ferguson*
 Signer's Printed Name: Astley G. Ferguson
 Signer's Title: General Contractor

STATE OF Florida
 COUNTY OF Hillsborough

For an entity: The forgoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 16th day of June, 2020, by Astley G. Ferguson as General Contractor of AGF Alliance Design & Construction, Inc. a/n Partnership Joint Venture LLC Corp Other: _____, on behalf of such entity. Such individual is Personally Known OR Produced Identification. Type of Identification Produced: _____

For an individual: The forgoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, 2020, By _____, Such individual is Personally Known OR Produced Identification. Type of Identification Produced: _____



Martha L. Thomas
 Notary Public, State of Florida
 Notary Printed Name: Martha L. Thomas
 Commission No.: GG303432
 My Commission Expires: Feb 19, 2023

**EMERGENCY
AFFIDAVIT CERTIFYING CONDITIONS AND CIRCUMSTANCES**

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, duly licensed and authorized under the laws of the State of Florida to administer oaths and take acknowledgements, personally appeared Charles J. Weber to me well known to be the individual described in and who executed this affidavit; and she/he being first duly cautioned and sworn, on oath deposes and states:

1. That the Department of Water has an urgent need, on an emergency basis, for the procurement of rehabilitation and replacement services for sludge piping at the David L. Tippin Water Treatment Facility due to the fact that:

Ongoing sludge piping leaks require immediate attention to keep all thickeners in operation for upcoming seasonal high demand. Delays will result in an increase in overtime and may require the reduction in plant water production with an increased expenditure of purchased drinking water.

2. That the emergency is such that a delay through the use of competitive procurement methods to acquire said goods and services would be detrimental to the interest of the City.

FURTHER, affiant sayeth not.

Charles J. Weber
AFFIANT (REQUESTING DEPT DIRECTOR)

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of June, 2020, by Charles J. Weber.

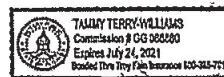
Tammy Terry-Williams

Personally Known OR Produced Identification

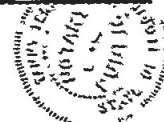
Type of Identification Produced: _____

Signature: Gregory K. Spearsman
Director of Purchasing

Date: 06/30/2020



- Quotation/Documentation attached
- Original to Purchasing
- Copy to Mayor's Office by Department Head





Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive

**Page 1 of 4 – DMI Solicited/Utilized Schedules
City of Tampa – Schedule of All Solicited Sub-(Contractors/Consultants/Suppliers)
(FORM MBD-10)**

Contract No.: _____ Contract Name: David L Tipping Facility Solids Processing System Improvements
 Company Name: AGF Alliance Design & Construction, Inc. Address: 12421 N Florida Avenue, Suite 218, Tampa, FL 33612
 Federal ID: 20-4011768 Phone: (813) 494-0107 Fax: (813) 354-4850 Email: agf.alliance@yahoo.com

Check applicable box(es). Detailed Instructions for completing this form are on page 2 of 4.

No Firms were contacted or solicited for this contract.

No Firms were contacted because: _____

See attached list of additional Firms solicited and all supplemental information (List must comply to this form)

Note: Form MBD-10 must list ALL subcontractors solicited including Non-minority/small businesses

NIGP Code Categories: Buildings=909, General=912, Heavy=913, Trades=914, Architects=906, Engineers & Surveyors=925, Supplier=912-77

S = SLBE W = WMBE O = Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade or Services NIGP Code (listed above)	Contact Method L=Letter F=Fax E=Email P=Phone	Quote or Response Received Y/N
Federal ID					
	Failure to Complete, Sign and Submit this form with your Bid or Proposal Shall render the Bid Non-Responsive (Do Not Modify This Form)				

It is hereby certified that the information provided is an accurate and true account of contacts and solicitations for sub-contracting opportunities on this contract.

Signed:  Name/Title: ASHLEY G. FERGUSON CONTRACTOR Date: 06/16/20

Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive
Forms must be included with Bid / Proposal



Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive

**Page 3 of 4 – DMI Solicited/Utilized Schedules
City of Tampa – Schedule of All To-Be-Utilized Sub-(Contractors/Consultants/Suppliers)
(FORM MBD-20)**

Contract No.: _____ Contract Name: David L Tippin Facility Solids Processing System Improvements
Company Name: AGF Alliance Design & Construction, Inc. Address: 12421 N Florida Avenue, Suite 218, Tampa, FL 33612
Federal ID: 20-4011768 Phone: (813) 494-0107 Fax: (813) 354-4850 Email: agf.alliance@yahoo.com

Check applicable box(es). Detailed Instructions for completing this form are on page 4 of 4.

See attached list of additional Firms Utilized and all supplemental information (List must comply to this form)

Note: Form MBD-20 must list ALL subcontractors To-Be-Utilized including Non-minority/small businesses

No Subcontracting/consulting (of any kind) will be performed on this contract.

No Firms are listed to be utilized because: _____

NIGP Code General Categories: Buildings = 909, General = 912, Heavy = 913, Trades = 914, Architects = 906, Engineers & Surveyors = 925, Supplier = 912-77

Enter "S" for firms Certified as Small Local Business Enterprises, "W" for firms Certified as Women/Minority Business Enterprise, "O" for Other Non-Certified

S=SLBE W=WMBE O=Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic Am. AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade, Services, or Materials NIGP Code Listed above	\$ Amount of Quote, Letter of Intent (LOI) if available	Percent of Scope or Contract %
Federal ID					

Failure to Complete, Sign and Submit
this form with your Bid or Proposal
Shall render the Bid Non-Responsive.
(Do Not Modify This Form)

Total ALL Subcontract / Supplier Utilization \$ _____
Total SLBE Utilization \$ _____
Total WMBE Utilization \$ _____
Percent SLBE Utilization of Total Bid/Proposal Amt. _____% Percent WMBE Utilization of Total Bid/Proposal Amt. _____%

It is hereby certified that the following information is a true and accurate account of utilization for sub-contracting opportunities on this Contract.
Signed: [Signature] Name/Title: HSTLEY G. FERGUSON Date: 06/16/20
CONTRACTOR

**Failure to Complete, Sign and Submit Both Forms 10 & 20 SHALL render the Bid or Proposal Non-Responsive
Forms must be included with Bid / Proposal**



City of Tampa
Jane Castor, Mayor

Equal Business Opportunity

Gregory K. Hart, Manager

306 East Jackson Street, 3N

Tampa, Florida 33602

Office (813) 274-5522

Fax: (813) 274-5544

DATE: July 21, 2020

TO: Michael Chucran, Director, Contract Administration Department

FROM: Gregory K. Hart, Manager

RE: EBO Bid Compliance Evaluation - GFCEP Solicitation and Utilization Audit

PROJECT: 19-C-00053: David L. Tippin Facility Solids Processing System Improvements

LOW BIDDER: AGF Alliance Design & Construction, Inc. (Certified MBE)

BID AMOUNT: \$604,000.00

U-WMBE (BBE) Subcontract Goal: 21.8%

U-WMBE (BBE) Goal Attainment: 21.8 %

Good Faith Effort Compliance: Compliant – Met Requirements

The Equal Business Opportunity Office evaluated the Good Faith Effort Compliance Plan (GFCEP) submitted by low bidder AGF Alliance Design & Construction, Inc., and determined they complied with the requirements of the Equal Business Opportunity Program (EBO) at time of bid by having performed meaningful action steps to (a) identify and (b) directly solicit Underutilized-WMBE eligible companies to quote divisions of work commensurate with the participation goal. The project goal was narrowly-tailored on the basis of three (3) out of four (4) subcontract categories wherein the requisite, eligible U-WMBE companies represented a minimum availability group of ten (10) firms, within an overall availability group of sixty (60+) available COT certified companies by subcontract tasks.

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 narrowly-tailored goal is considered ancillary. Ancillary participation cannot be credited toward meeting the narrowly-tailored goal but may count toward the bidder's overall project participation when GFCEP criteria for the underutilized group are met.

U-WMBE/SLBE Subcontract Goal Attainment

Certification Type	Classification	Classification	Totals
U-WMBE/Disparity Predicate	BBE	---	21.8%

Ancillary Participation

Certification Type	Classification	Totals
WMBE/SLBE	-0-	-0-

Compliance Statement: Total U-WMBE goal participation is 21.8% representing BBE (African American Enterprise). AGF Alliance Design & Construction, Inc is a City of Tampa certified MBE Company.

Gregory Hart
Gregory K. Hart, MPA, CPPA
GKH:/RT