Bid

A RESOLUTION ACCEPTING THE PROPOSAL OF TLC DIVERSIFIED, INC. PERTAINING TO CONTRACT 12-C-00058; CHANNEL DISTRICT: 12TH STREET WASTEWATER PUMP STATION IMPROVEMENTS - REBID, IN THE AMOUNT OF \$1,247,777; 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 Channel District: 12th Street Wastewater Pump Station Improvements - Rebid, and recommends to this Council that the proposal of TLC Diversified, 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 TLC Diversified, Inc. in the total amount of \$1,247,777 for construction of the Channel District: 12th Street Wastewater Pump Station Improvements - 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. Award of a contract for construction services, infrastructure and roadway improvements in the amount of \$1,247,777 and funds are available for such purposes within the Channel District CRA 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 $APR \ 2 \ 1 \ 2016$

CHAIRMAN/GHAIRMAN PRO-TEM, CITY COUNCIL

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

ATTEST:

CITY CLERK/DEAUTY CITY CLERK

*1% for Art: Yes

1/2016-9

Knowles

City of Tampa BID TABULATION

Contract 12-C-00058; Channel District: 12th Street Wastewater Pump Station Improvements - Rebid Bid Opening - March15, 2016

Posted March 15, 2016

CONTRACTOR	TOTAL BID AMOUNT
TLC Diversified, Inc.	\$1,247,777.00
RTD Construction, Inc	\$1,359,000.00

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



DORIGINAL ALB

Contract 12-C-00058; Channel District: 12th Street Wastewater Pump Station Improvements

PROPOSAL
To the Mayor and City Council of the City of Tampa, Florida:
Name of Bidder TLC Diversified, Inc.
(941) 722-0621 / tlamberson@tlcdiv.com Business Phone Number and Email Address
TLC Diversified, Inc. / 2719 17th Street East, Palmetto, FL 34221 Business Name and Mailing Address
(941) 722-0621 / Robert LaChance Phone Number and Name of Contact Regarding Permits
TLC Diversified, Inc. / 59-2513308
Contractor/Qualifiers Name and Federal Identification Number Date of Proposal March 15, 2016
Date of Frepositi
(If Bidder is a firm, fill in the following blanks):
Names and Residential Addresses of Partners
N/A
(If Bidder is a corporation, fill in the following blanks):
Organized under the laws of the State ofFlorida
Names and Address of President
Thurston Lamberson/President
2719 17th Street East, Palmetto, FL 34221
Name and Address of Vice President
Joanne Lamberson/Sr. VP/2719 17th Street East, Palmetto, FL 34221
Dalas Lamberson/VP Operations/2719 17th Street East, Palmetto, FL 34221
Name and Address of Secretary
Joanne Lamberson/Secretary/2719 17th Street East, Palmetto, FL 34221
Tiffany Taylor/Asst. Secretary/2719 17th Street East, Palmetto, FL 34221
lames and Address of Treasurer
Joanne Lamberson/Treasurer
2719 17th Street East, Palmetto, FL 34221

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.
- 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

X	Has; Treasury Number	59-2513308	_
(Check a	_ Has not pplicable box)		

previously performed work under the President's Executive Order Nos. 11246 and 11375.

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 Item No.	Estimated Quantity	Description and Price in Words	Computed Total Price for Item in Figures
BASE BID	LS	for providing a new wastewate the City of Tampa's Channel Described precast concrete wet well and pumps, precast concrete mank masonry screen wall and chair main piping, water service con reconstruction, control panel as be listed in Section 01020, with	ng of all labor, equipment, and material r pump station on North 12th Street in District, including excavation and backfill, triplex system with two (2) 25 HP noles, concrete footings and slabs, in link fencing, gravity sewer and force nection, roadway and site and electrical, any allowances that may in all associated work required for the street in the contract Documents.
		One Millury Two Sur	dred Forty Serven Thrusond,
		andcents (BASE BID) LS	\$1,247,777.00

Com	puted Total Price In Words	5: /	1200	- 17	/	
_[no Million,	Two Huch	red fry Ser	Ion Thoesa	()	
3	even founded ?	revery Son	lev dollars and _		cents.	
Com	puted Total Price in Figure	s: \$ 1,247,	777,80			
The I	oidder acknowledges that t been taken into account in	the following addend n this proposal: #1	da have been received X_#2_X_#3_X_#4	and that the change $X \# 5X$.	s covered by the addend	(a)mL
The I	oidder acknowledges the r	equirements of the (City of Tampa's Equal	Business Opportunity	Program.	
the F	er acknowledges that inclu lorida Trench Safety Act (! narized below:	ded in the various i 90096), (Laws of Fla	tems of the proposal a a.) effective October 1,	nd the Total Bid Pric 1990. The bidder fu	e are costs for complying Irther identifies the costs	with to be
	Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost	
A.	Sheeting	LF	4,000	\$1.00	\$ 4,000	
B.	-					
C.	No contract of the contract of					
D.						
				Total Cost \$_4	000	
Signe						
	Thurston Lamber	son/President				

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

P-4

Accompanyir form at least	ng this Proposal is a certified check five (5) percent of the total amount	, cashier's check of the Proposal	ck or Bid Bond (form included herein must be used) on the all which check shall become the property of the
West	field Insurance Company	of	Westfield Center, Ohio
And the second second second second	of Bank or Surety)	01	(City & State)
accepted by Performance	the City of Tampa and the under	ersigned shall fa ty of Tampa with	and payable to the City of Tampa, if this Proposal shall be fail to execute a contract with and to furnish the required thin twenty (20) days after the date of receipt of written Notice
Dated	March 15	, 20 <u>16</u>	
	TLC Diversifed, In	ıc.	
	(Name of Bidder)		
	2719 17th Street Eas (Address of Bidder) (Signature)	t, Palmetto, I	FL 34221
	Thurston Lamberson (Title)	n/President	
Where Bidder	Attest: Secretary Joanne Lamberso	humon	

AFFIX CORPORATE

SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF FLORIDA) COUNTY OF MANATEE)	
For a Corporation:	
STATE OF FLORIDA COUNTY OF MANATEE	
The foregoing instrument was acknowledged before me this $\underline{15}$ of of TLC Diversified, Inc , a FL corporation, on behalf of the has produced N/A as identification.	March 2016 by Thurston Lamberson/President he corporation. He/she is X personally known or Acuda Kay Mon & Montary Linda Kay Moore My Commission Expires: March 20, 2016
For an Individual: STATE OF COUNTY OF	
The foregoing instrument was acknowledged before me this of who is personally known to me or has produced	, 20 byas identification. Notary My Commission Expires:
For a Firm: STATE OF COUNTY OF	
The foregoing instrument was acknowledged before me this of who signed on behalf of the said firm. He/she is personally known identification.	, 20 by as nor hasproduced as
	- Commission Express

(hereinafter called the Principal) and	Westfield Insurance Company
Ohio , with its principal business in the State of Florida, are held and firm County, Florida, in the full and just sum of <u>5% of</u> States of America, to be paid upon demand of the	ion chartered and existing under the laws of the State of offices in the City of Westfield Center, OH, and authorized to do ly bound unto the City of Tampa, a Municipal Corporation of Hillsborough the amount of the (Bid) (Proposal) good and lawful money of the United e City of Tampa, Florida, to which payment will and truly to be made we ators, successors, and assigns, jointly and severally and firmly these
WHEREAS, the Principal is about to sul construction of certain facilities for the City designa Station Improvements.	bmit, or has submitted to the City of Tampa, Florida, a Proposal for the ated Contract 12-C-00058, Channel District: 12th Street Wastewater Pump
WHEREAS, the Principal desires to file otherwise required to accompany this Proposal.	this Bond in accordance with law, in lieu of a certified Bidder's check
shall, within twenty (20) days after the date of reci Proposal and upon the terms, conditions and price Florida and execute a sufficient and satisfactory amount of one hundred percent (100%) of the total Bid Bond obligation is to be void; otherwise to be a of the Principal to comply with any or all of the for	this obligation are such that if the Proposal be accepted, the Principal eipt of written Notice of Award, execute a contract in accordance with the easet forth therein, in the form and manner required by the City of Tampa, Public Construction Bond payable to the City of Tampa, Florida in an I contract price, in form and with security satisfactory to said City, then this and remain in full force and virtue in law, and the Surety shall, upon failure regoing requirements within the time specified above, immediately pay to reof, in good and lawful money of the United States of America, not as a
IN TESTIMONY THEREOF, the Principal day of <u>March</u> , 20 <u>16</u> .	and Surety have caused these presents to be duly signed and sealed this
Principal	TLC Diversified, Inc.
Surety: Westfield Insurance Company	TITLE Don Bramlage, Attorney-In-Fact & FL Lic. Resident Agent
SEAL)	Don Bramlage Producing Agent
	1326 S. Ridgewood Ave., Suite 15 Daytona Beach, FL 32114 Producing Agent's Address
S. F.	Florida Surety Bonds, Inc. Name of Agency

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 08/25/15, FOR ANY PERSON OR PERSONS NAMED BELOW.

General Power of Attorney

CERTIFIED COPY

POWER NO. 0990992 00

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

Westfield Center, Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint

DON BRAMLAGE, JEFFREY W. REICH, LESLIE M. DONAHUE, SUSAN L. REICH, PATRICIA L. SLAUGHTER, GLORIA A. RICHARDS, TERESA L. DURHAM, CHÉRYL FOLEY, LISA ROSELAND, KIM E. NIV, SONJA HARRIS, JOINTLY OR SEVERALLY

and State of FL its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, of MAITLAND place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint

and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000)

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 25th day of AUGUST A.D., 2015 .

Seals Affixed

State of Ohio County of Medina

Manney, ANTIONAL INS SEAL The state of the s

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Dennis P. Baus, National Surety Leader and Senior Executive

On this 25th day of AUGUST A.D., 2015, before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed

State of Ohio County of Medina

SS.:

David A. Kotnik, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 15th day of A.O., 2016 March

SAMINE

KIONAL NO September 1



Frank A. Carrino, Secretary

Good Faith Effort Compliance Plan for Small Local Business Subcontracting City of Tampa - Equal Business Opportunity Program

Co	intract 12-C-00058/Channel District: 12th Street WW PS Improvements Rebid Bid Date 03/15/2016
	dder TLC Diversified, Inc.
Sig	pnature X Date 03/15/2016
	me Thurston Lamberson Title President
The Sm	e following Compliance Plan is a true report of Good Faith Efforts made to accomplish subcontracting goals for all Local Business Enterprises, SLBEs, on the referenced contract:
4	The goal for SLBE participation has been met or exceeded. See the DMI form reporting subcontractors to be utilized. (Check Box, if appropriate; the remainder of the Compliance Plan need not be reported.)
- 1	The goal for SLBE participation has not been met. The following is a recap of Good Faith Efforts made: (Check applicable boxes below. Enclose additional documents, and/or add remarks below as needed.)
(1)	Soliciting through reasonable and available means the interest of SLBEs that have the capability to perform the work of the contract. The Bidder or Contractor must solicit this interest within sufficient time to allow the SLBEs to respond. The Bidder or Contractor must take appropriate steps to follow up initial solicitations with interested SLBEs. □ See DMI report forms for subcontractors solicited. □ See enclosed supplemental data on solicitation efforts. □ Remarks:
(2)	Providing interested SLBEs with adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the solicitation. \mathbf{x} See enclosed sample solicitation. \mathbf{x} Remarks:
(3)	Negotiating in good faith with interested SLBEs that have submitted bids. Documentation of negotiation must include the names, addresses, and telephone numbers of 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 SLBEs to perform the work. That there may be some additional costs involved in soliciting and using SLBEs is not a sufficient reason for a contractor's failure to meet the goals, as long as such costs are reasonable. Bidders are not required to accept higher quotes in order to meet the goal. DMI subcontractor-utilized forms reflect successful negotiations This project is of a low-bid nature and negotiations are limited to clarifications of scope and specifications.
(4)	Not rejecting SLBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The SLBEs standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations are not legitimate causes for rejecting or not soliciting bids to meet the goals. Not applicable. See attached explanation for rejection of a low-bidding subcontractor's bid. Remarks:
(5)	Making a portion of the work available to SLBE subcontractors and suppliers and to select those portions of the work or material consistent with the available 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. □ Remarks:
(6)	Making good faith efforts, despite the ability or desire of a Bidder or Contractor to perform the work of a contract with its own organization. A Bidder or Contractor who desires to self-perform the work of a contract must demonstrate good faith efforts unless the goal has been met. Sub-Contractors were not prohibited from submitting bids on work not usually sub-contracted. Remarks:
(7)	Selecting portions of the work to be performed by 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 to facilitate SLBE participation, even when the Bidder or Contractor 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 on work not usually sub-contracted. See enclosed comments. Remarks:
(8)	Making efforts to assist interested SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or contractor. $ abla$ See enclosed sample solicitation $ abla$ see enclosed document. $ abla$ Remarks:
(9)	Making efforts to assist interested SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in a City-sponsored mentor-protégé program. $ abla$ See enclosed sample solicitation. $ abla$ See enclosed document. $ abla$ Remarks:
(10)	Tampa Economic Development SLBE Roster & the Economic Tampa Economic
Othe	Development Department Supporting Good Faith Efforts: X See enclosed document. Remarks:



CITY OF TAMPA

Bob Buckhorn, Mayor

Office of the Chief of Staff

Minority and Small Business Development

DATE:

March 21, 2016

TO:

Michael Chucran, Director, Contract Administration Department

FROM:

Gregory K. Hart, Minority Business Development Manager

RE:

SLBE/WMBE Utilization & Solicitation Evaluation

PROJECT:

12-C-00058: Channel District: 12th Street Wastewater Pump Station

Improvements (Re-bid)

LOW BIDDER:

TLC Diversified, Inc.

BID AMOUNT:

\$1,247,777.00

SLBE/Underutilized WMBE Subcontract Goal:

27.3%

SLBE/U-WMBE Goal Attainment:

28.2%

Good Faith Effort Compliance:

SUFFICIENT - MET GOAL

The prime contractor (TLC Diversified, Inc.) met 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 28.2%, of which 13.9% represents HBE, 7.5% WBE, 4.1% BBE, and 2.7% Non-Minority Small Business.

Overall SLBE/U-WMBE Subcontract Goal Attainment

Certification Type	Classification	Classification	Classification	Totals
DUAL				
SLBE/WMBE	HBE = 13.9%	WBE = 7.5%	BBE = 4.1%	25.5%
SLBE Only				2.7%

GKH:/GKS

Gregory K

Attachment

Cc:

City Attorney (w/a)

Wastewater Department (w/a)

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

