Bid

CAD/vm

RESOLUTION NO. 2014-737

A RESOLUTION ACCEPTING THE PROPOSAL OF VOGEL BROS. BUILDING CO. PERTAINING TO CONTRACT 14-C-00009; KRAUSE PUMP STATION REHABILITATION, IN THE AMOUNT OF $6,820,000; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 5, 2014, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Krause Pump Station Rehabilitation, and recommends to this Council that the proposal of Vogel Bros. Building Co. 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 Vogel Bros. Building Co. in the total amount of $6,820,000 for construction of the Krause Pump Station Rehabilitation, 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 Resolution provides for award of a contract for construction services in the amount of $6,820,000 for the Krause Pump Station Rehabilitation project 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 NOV 0 6 2014.

CHAIRMAN/~~CHAIRMAN PRO-TEM~~, CITY COUNCIL

APPROVED AS TO LEGAL SUFFICIENCY BY:
Justin R. Vaske, Assistant City Attorney

ATTEST:

CITY CLERK/~~DEPUTY CITY CLERK~~

*1% for Art: No

Y2014-47

City of Tampa

BID TABULATION

Contract 14-C-00009; Krause Pump Station Rehabilitation

Bid Opening - August 05, 2014

Posted August 05, 2014

CONTRACTOR	TOTAL BID AMOUNT
Vogel Bros. Building Co.	$6,820,000.00
Poole & Kent Company of Florida	$7,336,000.00
RTD Construction, Inc	$7,582,060.00
TLC Diversified, Inc	$8,170,000.00
Wharton-Smith, Inc	$8,694,200.00

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

Contract 14-C-00009; Krause Pump Station Rehabilitation

PROPOSAL

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

Name of Bidder Vogel Bros. Building Co.

863-646-5078 bbocchino@vogelbldg.com

Business Phone Number and Email Address

Vogel Bros. Building Co., 2720 Drane Field Rd., Lakeland, FL 33811

Business Name and Mailing Address

863-646-5078 Ext. 118 William Bocchino

Phone Number and Name of Contact Regarding Permits

Peter Christopher Vogel 39-0679620

Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal August 5, 2014

(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 Wisconsin

Names and Address of President

Peter C. Vogel, Vogel Bros. Building Co., 2701 Packers Ave., Madison, WI 53704

Name and Address of Vice President

Ross A. Rehfeldt, Vogel Bros. Building Co., 2701 Packers Ave., Madison, WI 53704

William M. Bocchino, Vogel Bros. Building Co., 2720 Drane Field Rd., Lakeland, FL 33811

Name and Address of Secretary

Eric J. Ballweg, Vogel Bros. Building Co., 2701 Packers Ave., Madison, WI 53704

Names and Address of Treasurer

Eric J. Ballweg, Vogel Bros. Building Co., 2701 Packers Ave., Madison, WI 53704

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

__X__ Has; Treasury Number 004837233

_____ 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 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 to remove existing pumps, motors and concrete pedestals from pump No.1 – constant speed 300 hp motor, Nos. 2 & 4 – variable speed 105 hp motors and No 3- constant speed 400 hp motor, four (4)-24" discharge valves, piping, pump controls, and existing 4160V electrical equipment; install four (4) 400 HP pumps and immersible motors, discharge and suction valves, piping, concrete pedestal supports, air compressors; install four (4) 480V variable frequency drives, pump controls, annunciator panel, motor control center, electrical switchgear, concrete duct bank system, conduits, wiring, and other electrical equipment needed to convert the pump station from 4160V service to 480V service and new ventilation system. The contract also includes furnishing all labor, materials, and equipment, to install a new 36" flow meter outside the station, temporary bypass pumping, any Contingency Allowances as stated in SP-60, and with all associated work required for a complete project in accordance with the Contract Documents. SIX MILLION EIGHT HUNDRED TWENTY THOUSAND dollars and ZERO cents (BASE BID) LS	$ 6,820,000

Computed Total Price In Words:

SIX MILLION EIGHT HUNDRED TWENTY THOUSAND

_____ dollars and ZERO cents.

Computed Total Price in Figures: $ 6,820,000

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 ✓ #6 ✓

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.	TRENCH BOX	LF	40	$10.00	$ 400.00
B.					
C.					
D.					

Total Cost $ 400.00

Signed _____

Peter C. Vogel

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

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

Travelers Casualty and Surety Company of America of Hartford, CT
(Name of Bank or Surety) (City & State)

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 Performance Bond and Payment 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 August 5, 2014

Vogel Bros. Building Co.
(Name of Bidder)

2720 Drane Field Rd., Lakeland, FL 33811
(Address of Bidder)

(Signature) Peter C. Vogel

President
(Title)

Where Bidder is a Corporation:

Attest:
Mary S. Spurl.
Assistant Secretary

AFFIX
CORPORATE
SEAL

(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF Florida)
) SS:
COUNTY OF Polk)

For a Corporation:

STATE OF Florida
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 5th of August, 2014 by Peter C. Vogel of Vogel Bros. Building Co., a WI corporation, on behalf of the corporation. He/she is ☑ personally known or has ___ produced personally known as identification.

D Leigh Wagner
Notary

NOTARY PUBLIC STATE OF FLORIDA
D LEIGH WAGNER
COMMISSION # FF122885
EXPIRES June 25, 2018
BONDED THROUGH
RLI INSURANCE COMPANY

My Commission Expires:
6-25-2018

For an Individual:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ of _____, 2014 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 _____, 2014 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 14-C-00009; Krause Pump Station Rehabilitation

KNOW ALL MEN BY THESE PRESENTS, that we, Vogel Bros. Building Co.

(hereinafter called the Principal) and Travelers Casualty and Surety Company of America

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of CT, with its principal offices in the City of Hartford, CT, 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 14-C-00009, Krause Pump Station Rehabilitation.

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 5th day of August, 2014.

Principal

Vogel Bros. Building Co.

BY _____
Peter C. Vogel

TITLE President

Travelers Casualty and Surety Company of America

BY Bradley S. Babcock

TITLE Attorney in Fact

(SEAL)

Bradley S. Babcock
Producing Agent

W70N455 Cedar Pointe Ave., Cedarburg,WI 53012
Producing Agent's Address

Babcock Soutions, LLC
Name of Agency

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

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 225943 **Certificate No.** 005551090

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Bradley S. Babcock, Becky A. Heaston, and Kimberly L. Babcock

of the City of Cedarburg, State of Wisconsin, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 2nd day of July, 2013.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: _____
Robert L. Raney, Senior Vice President

On this the 2nd day of July, 2013, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

MARIE C. TETREAULT NOTARY PUBLIC CONNECTICUT

Marie C. Tetreault
Marie C. Tetreault, Notary Public

58440-8-12 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

CITY OF TAMPA

Bob Buckhorn, Mayor | **Office of the Chief of Staff**

Minority and Small Business Development

DATE: September 9, 2014

TO: David Vaughn, Director of Contract Administration Department.

FROM: Gregory K. Hart, Minority Business Development Manager

RE: SLBE/WMBE Utilization & Solicitation Evaluation

PROJECT: **14-C-00009: Krause Pump Station Rehabilitation**

LOW BIDDER: **Vogel Brothers Building Company**

BID AMOUNT: **$6,820,000.00**

SLBE/Underutilized-WMBE Subcontract Goal: **21.1%**
SLBE/U-WMBE Goal Attainment: **0.0%**
Good Faith Effort Compliance: **SUFFICIENT**

The Minority and Small Business Development Office evaluated the Good Faith Effort Compliance Plan (GFECP) submitted by Vogel Brothers Building Company 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.

Subsequent to MBD completing the GFECP Compliance Review of the bidder's subcontract solicitation/utilization forms (MBD 10-20), Vogel Brothers Building Company provided an executed Letter of Intent (LOI) from Terrell Industries (SLBE/BBE for $946,410.51 (or 13.9%). Terrell Industries was one of the SLBE/U-WMBE subcontractors included in initial subcontractor outreach. The additional subcontract information was not confirmed in the initial compliance evaluation at bid opening (i.e., Met Compliant Approval). 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: Overall SLBE/U-WMBE participation is 13.9%, of which 13.9% represents BBE.

Ancillary SLBE/WMBE Subcontract Participation

Certification	Classification	Totals
Dual SLBE/WMBE	BBE = 13.9%	13.9%

Gregory K. Hart, CPPA
GKH:/GKS
Attachment
Cc: City Attorney (w/a)
Wastewater Department (w/a)