Bid

CAD/HS

RESOLUTION NO. 2015-444

A RESOLUTION ACCEPTING THE PROPOSAL OF TECHNICAL POWER SYSTEMS, INC. PERTAINING TO CONTRACT 14-C-00025; HOWARD F. CURREN AWTP JUNCTION CHAMBER NO. 1 CONDUIT REPAIRS, IN THE AMOUNT OF $216,657; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 14, 2015, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Howard F. Curren AWTP Junction Chamber No. 1 Conduit Repairs, and recommends to this Council that the proposal of Technical Power Systems, 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 Technical Power Systems, Inc. in the total amount of $216,657 for construction of the Howard F. Curren AWTP Junction Chamber No. 1 Conduit Repairs, 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. Funding for award of a contract for construction services is provided in the amount of $216,657 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 MAY 21 2015

CHAIRMAN/CHAIRMAN PRO-TEM, CITY COUNCIL

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

ATTEST:

Sherley Izx-Knowles
CITY CLERK/~~DEPUTY CITY CLERK~~

*1% for Art: No

1/2015-19

City of Tampa

BID TABULATION

Contract 14-C-00025; Howard F. Curren AWTP Junction Chamber No. 1 Conduit Repairs

Bid Opening - April 14, 2015

Posted April 14, 2015

CONTRACTOR	TOTAL BID AMOUNT
Technical Power Systems, Inc.	$216,657.00
MJM Electric, Inc.	$257,737.00
Leedy Electric West	$275,000.00
Electrical Engineering Enterprises, Inc.	$384,210.00
All-In-One Electric, Inc.	$397,000.00

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

ALB

Contract 14-C-00025; Howard F. Curren AWTP Junction Chamber No. 1 Conduit Repairs

PROPOSAL

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

Name of Bidder Technical Power Systems, INC.

941-356-3453 brianstewart@verizon.net
Business Phone Number and Email Address

Technical Power Systems, INC. 3135 Dividing Creek Drive Sarasota FL 34237
Business Name and Mailing Address

941 356 3453 BRIAN STEWART
Phone Number and Name of Contact Regarding Permits

BRIAN STEWART 65-0870600
Contractor/Qualifiers Name and Federal Identification Number

Date of Proposal April 14, 2015

(If Bidder is a firm, fill in the following blanks):

Names and Residential Addresses of Partners

(If Bidder is a corporation, fill in the following blanks):

Organized under the laws of the State of FLORIDA

Names and Address of President

DARlene C STEWART
3135 Dividing Creek Drive, Sarasota FL 34237

Name and Address of Vice President

BRIAN M. STEWART
3135 Dividing Creek Drive, Sarasota FL 34237

Name and Address of Secretary

BRIAN STEWART
3135 Dividing Creek Drive Sarasota FL 34237

Names and Address of Treasurer

BRIAN M STEWART
3135 Dividing Creek Drive Sarasota FL 34237

The above-named Bidder affirms and declares:

(1) That the Bidder is of lawful age and that no other person, firm or corporation has any interest in this Proposal or in the Contract proposed to be entered into.

(2) That this Proposal is made without any understanding, agreement or connection with any other person, firm, or corporation making Proposal for the same purposes, and is in all respects fair and without collusion or fraud.

(3) That the Bidder is not in arrears to the City of Tampa, upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the City of Tampa.

(4) That no officer or employee or person whose salary is payable in whole or in part from the City Treasury is, shall be or become interested, directly or indirectly, as a contracting party, partner, stockholder, surety or otherwise, in this Proposal, or in the performance of the Contract, or in the supplies, materials, or equipment and work or labor to which it relates, or in any portion of the profits thereof.

(5) That the Bidder has carefully examined the site of the work and that, from his own investigations, he has satisfied himself as to the nature and location of the work, the character, quality, and quantity of materials and the kinds and extent of equipment and other facilities needed for the performance of the work, the general and local conditions and all difficulties to be encountered, and all other items which may, in any way, affect the work or its performance.

(6) That the Bidder

_____ Has; Treasury Number _____

__✓__ Has not
(Check applicable box)

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

(7) That the undersigned, as Bidder, also declares that he has carefully examined and fully understands all the component parts of the Contract Documents and agrees that he will execute the Contract and finish the required Performance Bond and will completely perform the work in strict accordance with the terms of the Contract and the Contract Documents therein referred to for the following prices, to wit:

Contract Item No.	Estimated Quantity	Description and Price in Words	Computed Total Price for Item in Figures
BASE BID	LS	The work includes the furnishing of all labor, equipment, and material for the removal and replacement of conduits and service feeder conductors from the existing transformers T-2A-4 and T-2B-4 to existing electrical gear at the Junction Chamber No. 1 facility, including the video exploration of existing conduit inside concrete ducts, any contingency allowances as stated in SP-60 and with all associated work required for a complete project in accordance with the Contract Documents. Two hundred Sixteen Thousand Six hundred Fifty Seven dollars and Zero cents (BASE BID) LS	$216,657.00

Computed Total Price In Words:

Two hundred Sixteen Thousand Six hundred Fifty Seven dollars and Zero cents.

Computed Total Price in Figures: $ 216,657.00

The bidder acknowledges that the following addenda have been received and that the changes covered by the addendum(s) have been taken into account in this proposal: #1 ✓ #2 ✓ #3 ✓ #4 ___ #5 ___.

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

Bidder acknowledges that included in the various items of the proposal and the Total Bid Price are costs for complying with the Florida Trench Safety Act (90096), (Laws of Fla.) effective October 1, 1990. The bidder further identifies the costs to be summarized below:

	Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost
A.	NA				
B.					
C.					
D.					

Total Cost $ 216,657.00

Signed Brian M Stewart

BRIAN M STEWART, VP Technical Power Systems, INC.

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

Merchants Bonding Company of Des Moines, IA
(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 April 14, 2015

Technical Power Systems, INC.
(Name of Bidder)

3135 Dividing Creek Drive, Sarasota FL 34237
(Address of Bidder)

Brian M Stewart
(Signature)

Vice President
(Title)

Where Bidder is a Corporation:

Attest:
Brian M Stewart
Secretary

AFFIX
CORPORATE
SEAL

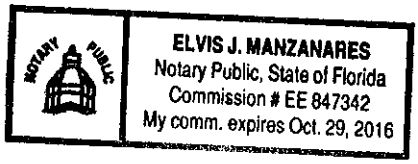
(ACKNOWLEDGMENT OF PRINCIPAL)

STATE OF Florida)
) SS:
COUNTY OF Sarasota)

For a Corporation:

STATE OF Florida
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me this 14 of April, 2015 by Brian M Stewart of Technical Power Systems Inc, a FL corporation, on behalf of the corporation. He/she is ___ personally known or has X produced Florida Driver License as identification.



Notary

My Commission Expires:

Oct. 29th, 2016

For an Individual:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ of _____, 2015 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 _____, 2015 by _____ who signed on behalf of the said firm. He/she is ___ personally known or has ___ produced _____ as identification.

_____
Notary

My Commission Expires:

_____

_____

THE AMERICAN INSTITUTE OF ARCHITECTS

Executed in 1 Counterpart

AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Technical Power Systems, Inc.
(Here insert full name and address or legal title of Contractor)
3135 Dividing Creek Dr., Sarasota, FL 34237-3712
as Principal, hereinafter called the Principal, and Merchants Bonding Company
(Here insert full name and address or legal title of Surety)
2100 Fleur Drive, Des Moines, IA 50321-1158
a corporation duly organized under the laws of the State of IOWA
as Surety, hereinafter called the Surety, are held and firmly bound unto City of Tampa
(Here insert full name and address or legal title of Owner)
306 E. Jackson St. 4N, Tampa, FL 33602
as Obligee, hereinafter called the Obligee, in the sum of Five Percent of Amount Bid
Dollars ($ ---5%---),
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for
(Here insert full name, address and description of project)
Contract 14-C-00025, Howard F. Curren AWTP Junction Chamber No. 1 Conduit Repairs, 2700 Maritime Blvd., Tampa, FL 33619

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 14th day of April 2015

Elvis J. Manzanares
(Witness)

Technical Power Systems, Inc.
(Principal) (Seal)
Brian Stewart VP
BRIAN STEWART (Title) VP

Sarah M. Drinnan
(Witness)

Merchants Bonding Company
(Surety) (Seal)
Gloria A. Richards
(Title)
Gloria A. Richards, Attorney-in-Fact
and Florida Licensed Resident Agent

MERCHANTS
BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

Cheryl Foley; Don Bramlage; Glenn Arvanitis; Gloria A Richards; Jeffrey W Reich; Kim E Niv; Leslie M Donahue; Lisa Roseland; Patricia L Slaughter; Susan L Reich; Teresa L Durham

of Maitland and State of Florida their true and lawful Attorney-In-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

EIGHT MILLION ($8,000,000.00) DOLLARS

and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-In-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-In-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 13th day of January , 2015 .

MERCHANTS NATIONAL BONDING, INC. -o- INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) -o- INCORPORATED -o- 1933

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By Larry Taylor
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 13th day of January , 2015, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

NOTARIAL SEAL IOWA
WENDY WOODY
Commission Number 784654
My Commission Expires
June 20, 2017

Wendy Woody
Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 14th day of April , 2015

MERCHANTS NATIONAL BONDING, INC. -o- INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) -o- INCORPORATED -o- 1933

William Warner Jr.
Secretary

POA 0014 (7/14)

Good Faith Effort Compliance Plan for Small Local Business Subcontracting

City of Tampa - Equal Business Opportunity Program

Contract 14-C-00025 Howard F. Curren AWTP Junction Chamber #1 **Bid Date** 4/14/15

Bidder Technical Power Systems, INC

Signature Brian Stewart, BRM **Date** 4/14/15

Name BRIAN STEWART **Title** V PRESIDENT

The following Compliance Plan is a true report of Good Faith Efforts made to accomplish subcontracting goals for Small Local Business Enterprises, SLBEs, on the referenced contract:

☑ **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.)

☐ **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. ☐ See enclosed sample solicitation. ☐ 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. ☐ See enclosed document. ☐ Remarks:

(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. ☐ See enclosed sample solicitation ☐ see enclosed document. ☐ 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. ☐ See enclosed sample solicitation. ☐ See enclosed document. ☐ Remarks:

(10) Effectively using the services of the City and other organizations that provide assistance in the recruitment and placement of SLBEs. ☐ See enclosed document. ☐ The following services were used:

Other Supporting Good Faith Efforts: ☐ See enclosed document. ☐ Remarks: