

RESOLUTION NO. 09-311

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE AWARD OF REQUEST FOR PROPOSALS 09-012 IN THE AMOUNTS OF \$165,550.00 (VIRGINIA STREET) AND \$31,530.00 (APPLEROUTH LANE) FROM CHARLEY TOPPINO AND SONS, INC. FOR THE DESIGN-BUILD OF SIDEWALK ENHANCEMENTS PHASE IV; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached response to proposal 09-012 by Charlie Toppino and Sons, Inc. in the amounts of \$165,500.00 (Virginia Street) and \$31,530.00 (Applerouth Lane) is hereby awarded, upon notice of concurrence of Intent to Award by the Florida Department of Transportation, to design and build a new federal ADA compliant sidewalks and curb ramps as part of the design-build project for sidewalk enhancements phase IV.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 3rd day of December, 2009.

Authenticated by the presiding officer and Clerk of the
Commission on December 4, 2009.

Filed with the Clerk December 4, 2009.



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

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EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager - Operations

FROM: Gary W. Bowman, General Services and Engineering Director

DATE: November 12, 2009

RE: **Awarding of the Bid of Charley Toppino and Sons, Inc. in the amount of \$165,550 (Virginia Street); \$31,530 (Applerouth Lane) for the design-build of Sidewalk Enhancements Phase IV**

ACTION STATEMENT:

This resolution will approve the low bid of \$165,550 (Virginia Street); \$31,530 (Applerouth Lane) from Charley Toppino and Sons, Inc. upon notice of concurrence of Intent to Award by the Florida Department of Transportation (FDOT) to design and build new Federal ADA compliant sidewalks and curb ramps as part of the design-build project for Sidewalk Enhancements Phase IV.

The design and construction for each project location will be reimbursed 100% through an FDOT Local Area Program (LAP) grant not to exceed the following grant constraints for design/construction: \$204,000 (Virginia Street); \$26,520 (Applerouth Lane). These grants are funded by the American Recovery and Reinvestment Act of 2009, commonly referred to as stimulus funding.

BACKGROUND:

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The ARRA is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so that our country can thrive in the 21st century. This legislation will pay for needed transportation improvements while providing jobs and other economic benefits. The City has been actively seeking these funds to assist our local economy and to improve local infrastructure. We were able to obtain funding for thirteen Sidewalk Enhancement projects through this federal legislation.

For this Contract, the City has established alternate scopes of work, shown as the list of bid items under each of the Scope Alternates listed in the Request *Key to the Caribbean - Average yearly temperature 77° F.*

for Proposal. These alternates have been established in consideration of budget constraints. The City has assigned Contract award priority for the Scope Alternates as follows:

First PriorityAlternate A
 Second PriorityAlternate B

The City intends to award the Contract to the responsible bidder with the lowest bid for the highest priority Scope Alternate for which the City determines funds are available. For the purpose of bidding, the City has established a maximum budget as follows:

Virginia Street Sidewalks \$204,000.00
 Applerouth Lane \$ 26,520.00

Although many firms attended the mandatory pre-bid meeting, only one bid was received at bid opening.

PURPOSE AND JUSTIFICATION:

Many areas throughout the City are in need of sidewalk and ADA improvements. Stimulus funding is making the following improvements possible:

| FM # | Phase | Project Location | Project Scope of Selected Alternate | Grant Constraint (design / construction) | Low Bidder | Low Bid Amount Alt A | Low Bid Amount Alt B | Low Bid Amount Alt C |
|----------|-------|----------------------------|-------------------------------------|--|------------------------|----------------------|----------------------|----------------------|
| 426509-1 | I | Southard St. | 11 corners | \$ 137,280 | Charley Toppino & Sons | \$ 184,404 | \$ 162,096 | \$ 128,634 |
| 426514-1 | I | William St. | 460 LF sidewalks | \$ 61,200 | Charley Toppino & Sons | \$ 78,698 | \$ 48,278 | N/A |
| 426515-1 | I | 12 th St. | 285 LF sidewalks | \$ 32,640 | Charley Toppino & Sons | \$ 40,350 | \$ 29,812 | N/A |
| 426510-1 | II | Fleming St. | 12 corners | \$ 149,760 | Charley Toppino & Sons | \$ 195,618 | \$ 173,310 | \$ 139,848 |
| 426511-1 | III | Caroline St. | 13 corners | \$ 112,320 | Charley Toppino & Sons | \$ 156,000 | \$ 132,700 | \$ 109,500 |
| 426512-1 | III | Eaton St. | 9 corners | \$ 112,320 | Charley Toppino & Sons | \$ 144,400 | \$ 132,800 | \$ 109,500 |
| 426517-1 | IV | Virginia St. | 1700 LF sidewalks | \$ 204,000 | Charley Toppino & Sons | \$ 309,050 | \$ 165,550 | N/A |
| 426518-1 | IV | Applerouth Ln. | 325 LF sidewalks | \$ 26,520 | Charley Toppino & Sons | \$ 31,530 | \$ 25,660 | N/A |
| 426519-1 | V | Telegraph Ln. | 450 LF sidewalks | \$ 65,280 | Charley Toppino & Sons | Deleted via addendum | \$ 65,265 | N/A |
| 426522-1 | V | Petronia/Whitehead | 4 corners | \$ 49,920 | Charley Toppino & Sons | \$ 49,688 | N/A | N/A |
| 426523-1 | V | Eisenhower Dr. | 880 LF sidewalks | \$ 106,080 | Charley Toppino & Sons | \$ 190,351 | \$ 157,462 | N/A |
| 426520-1 | VI | Duck Ave. (with bike lane) | 4800 LF sidewalks | \$ 530,400 | Charley Toppino & Sons | \$ 445,800 | \$ 386,000 | N/A |
| 426524-1 | VII | Leon St. | 2600 LF sidewalks | \$ 212,160 | Charley Toppino & Sons | \$ 235,100 | \$ 211,300 | N/A |

BOLD = selected alternate

Eisenhower Dr. bids in excess of grant constraint; Phase V to be re-bid

For Phase IV, Applerouth Lane Alternate A is recommended although the cost exceeds the grant constraint by \$5,010. Staff has determined the additional cost to the City is beneficial since an extra 105 LF of sidewalks will be constructed. The cost of constructing sidewalks is estimated at \$120/LF. The cost of Applerouth Lane Alternate A (\$31,530) divided by the 325 LF that will be constructed results in a cost of \$97.02/LF, representing a cost savings of \$22.98/LF or \$2,412.90. It is important to note that the \$120/LF estimate is strictly construction. The \$97.02/LF includes design, surveying & construction.

Virginia Street Alternate B is recommended. 1700 LF of sidewalks will be constructed with this alternate. Alternate B is under the grant constraint of \$204,000.

Additional information regarding bid prices on other alternates for each project location in Phase IV can be found in the table above.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. The City Commission can approve the contract authorizing the low bid to design and build the Sidewalk Enhancements Phase IV project choosing Applerouth Lane Alternate A and Virginia Street Alternate B. Applerouth Lane Alternate A is \$5,010 in excess of the grant constraint of \$26,520. The City must expend Sidewalk Fund money to cover the \$5,010 excess resulting in an additional 105 LF of sidewalks that will be constructed (325 LF total). Virginia Street Alternate B is under the grant constraint of \$204,000.
2. The City Commission can approve the contract authorizing the low bid to design and build the Sidewalk Enhancements Phase IV project choosing Applerouth Lane Alternate B and Virginia Street Alternate B. Both of these alternates are within the grant constraint of \$26,520 (Applerouth) and \$204,000 (Virginia). This will allow the City to provide new Federal ADA compliant sidewalks and curb ramps at each of the project locations using stimulus funding at no additional cost to the City.
3. The City Commission can decline the bids received and reissue the Design-Build Request for Proposals. The grant funding received for these projects have deadlines associated with them and delays could jeopardize the funding. Work on this project must begin in time to meet a December 2009 deadline to invoice the grant for the first time.
4. The City Commission can decline the bids received and forego sidewalk improvements.

FINANCIAL IMPACT:

General Services staff analyzed the lump sum bids and found a mathematical error with the total for Virginia Street Alternate A. The bid submitted was for \$309,560. The correct total is \$309,050 (a \$510 difference). FDOT will reimburse the City 100% up to the grant constraint of \$26,520 (Applerouth) and \$204,000 (Virginia) through Federal stimulus funding from the American Recovery and Reinvestment Act of 2009. However, the proposal price for Applerouth Lane Alternate A of the low bid is \$5,010 in excess of the grant constraint. The fees up to the grant constraint of \$26,520 (Applerouth) and \$204,000 (Virginia) will be funded through budget line item 102-4104-541-63-00 (Project EN0908 Applerouth, EN0907 Virginia). The additional fees of \$5,010 for Applerouth Lane Alternate A will be funded through the City Sidewalk Fund, budget line item 102-4104-541-46-00. The grants funds are budgeted in Revenue Account 102-0000-334-49-01.

Funding summary for Sidewalk Enhancements Phase IV:

Applerouth Lane -
 FDOT Stimulus LAP Grant..... \$ 26,520
 Additional cost, City Sidewalk Fund 102-4104-541-46-00.....\$ 5,010

Total **\$ 31,530**

Virginia Street -
 FDOT Stimulus LAP Grant..... \$ 165,550*

*bid proposal price under grant constraint of \$204,000


Total **\$ 165,550**

| Summary of additional costs to be funded with City Sidewalk Fund (102-4104-541-46-00) | | |
|--|-------------------------|---|
| Project Phase | Project Location | Amount in Excess of Grant Constraint |
| Phase III | Caroline Street | \$ 43,680 |
| Phase IV | Applerouth Lane | \$ 5,010 |
| Phase VII | Leon Street | \$ 22,940 |
| | Total | \$ 71,630 |

RECOMMENDATION:

Staff recommends that the City Commission select option 1, the award of the design-build contract to the low bid of \$31,530 (Applerouth Lane); \$165,550 (Virginia Street) from Charley Toppino and Sons, Inc. upon notice of concurrence of Intent to Award by the Florida Department of Transportation and authorize budget transfers so that we may proceed with the Sidewalk Enhancements Phase IV project.

INTEROFFICE MEMORANDUM

To: Gary Bowman, General Services Director
CC: Carolyn Sheldon, Grants Administrator
Sue Snider, Purchasing
From: Cheri Smith, City Clerk 
Date: October 7, 2009
Subject: **SIDEWALK ENHANCEMENT PROJECT PHASE IV –
VIRGINIA STREET; RFP 09-012**

Attached for your review is a copy of the bid opened Wednesday, October 8, 2009 at 3:30 p.m. in response to the above referenced project.

| | | | |
|--|-----------------|----------------|--------------|
| 1. Charley Toppino & Sons, Inc. P O Box 787 Key West, FL 33041 | Virginia Street | - Alternate A: | \$309,560.00 |
| | | - Alternate B: | \$165,550.00 |
| | Applerouth Lane | - Alternate A: | \$ 31,530.00 |
| | | - Alternate B: | \$ 25,660.00 |

**Sidewalk Enhancements Phase IV
City Staff bid tabs**

| | | | Charley Toppino & Sons, Inc. |
|------------------------------------|--|-------------|---|
| Line # | Line Item | Unit | Amount |
| Virginia Street Alternate A | | | |
| 1 | Alternate A | LS | \$ 296,000.00 |
| | Alternate A Performance & Payment Bond | LS | \$ 4,200.00 |
| 1A | Contingency Allowance | LS | \$ 8,850.00 |
| | Total All Extended Lump Sum Alternate A | | \$ 309,050.00 |
| Virginia Street Alternate B | | | |
| 1 | Alternate B | LS | \$ 154,500.00 |
| | Alternate B Performance & Payment Bond | LS | \$ 2,200.00 |
| 1A | Contingency Allowance | LS | \$ 8,850.00 |
| | Total All Extended Lump Sum Alternate B | | \$ 165,550.00 |
| Applerouth Lane Alternate A | | | |
| 2 | Alternate A | LS | \$ 29,930.00 |
| | Alternate A Performance & Payment Bond | LS | \$ 450.00 |
| 2A | Contingency Allowance | LS | \$ 1,150.00 |
| | Total All Extended Lump Sum Alternate A | | \$ 31,530.00 |
| Applerouth Lane Alternate B | | | |
| 2 | Alternate B | LS | \$ 24,170.00 |
| | Alternate B Performance & Payment Bond | LS | \$ 340.00 |
| 2A | Contingency Allowance | LS | \$ 1,150.00 |
| | Total All Extended Lump Sum Alternate B | | \$ 25,660.00 |

*\$309,560 in bid proposal, subtract \$510 from bid for mathematical error

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase IV

as a guarantee that the Bidder would, if awarded the Contract, enter into a written Contract with the Owner for the performance of said Contract, within 10 working days after written notice having been given of the award of the Contract.

NOW, THEREFORE, the conditions of this obligation are such that if the PRINCIPAL within 10 consecutive calendar days after written notice of such acceptance, enters into a written Contract with the OBLIGEE and furnishes the Performance and Payment Bonds, each in an amount equal to 100 percent of the base bid, satisfactory to the Owner, then this obligation shall be void; otherwise the sum herein stated shall be due and payable to the OBLIGEE and the Surety herein agrees to pay said sum immediately upon demand of the OBLIGEE in good and lawful money of the United States of America, as liquidated damages for failure thereof of said PRINCIPAL.

Signed and sealed this 24th day of September, 2009.

PRINCIPAL Charley Toppino & Sons, Inc.

By *Frank P. Joppert*

SURETY The Hanover Insurance Company

By *WLP*
Attorney-in-Fact William L. Parker
& FL Res Agent

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Charles C. Ball, Heana M. Bauza, William F. Kleis, Davor I. Mlinica and/or William L. Parker

of Miami, FL and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:
Any such obligations in the United States, not to exceed Twenty Million and No/100 (\$20,000,000) In any single instance

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Assistant Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by a Vice President and an Assistant Vice President, this 8th day of July 2009.



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA


Mary Jeanne Anderson, Vice President


Robert K. Grennan, Assistant Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 8th day of July 2009, before me came the above named Vice President and Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.




Notary Public

My commission expires on November 3, 2011

I, the undersigned Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Assistant Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 24 day of September, 20 09

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA


Stephen L. Brauk, Assistant Vice President

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase IV

SWORN STATEMENT UNDER SECTION 287.133(3)(A)
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

*THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER
AUTHORIZED TO ADMINISTER OATHS.*

1. This sworn statement is submitted with Bid or Proposal for _____
SIDEWALK ENHANCEMENTS PHASE

2. This sworn statement is submitted by CHARLEY TOPPINO & SONS, INC.
(name of entity submitting sworn statement)
whose business address is P.O. BOX 787 KEY WEST, FL 33041

and (if applicable) its Federal Employer Identification Number (FEIN) is _____
59 2426 906

(If the entity has no FEIN, include the Social Security Number of the individual
signing this sworn statement _____)

3. My name is FRANK P. TOPPINO
(please print name of individual signing)
PRESIDENT
and my relationship to the entity named above is _____

4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including but not limited to, any bid or contract for goods or services to be provided to any public or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means
 1. A predecessor or successor of a person convicted of a public entity crime; or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting controlling interest in another person, or a pooling of equipment or

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase IV

income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(8), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies).

Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (Please indicate which additional statement applies.)

There has been a proceeding concerning the conviction before a hearing of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

The person or affiliate has not been put on the convicted vendor list. (Please describe any action taken by or pending with the Department of General Services.)

Frank P. Toppino
(signature)

10/6/09
(date)

STATE OF FLORIDA

MONROE

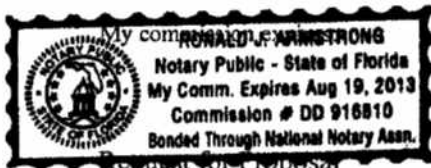
COUNTY OF

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

FRANK P. TOPPINO

FRANK P. TOPPINO who, after first being sworn by me, affixed his/her
(name of individual signing)

signature in the space provided above on this 6 day of Oct, 2009.



Ronald J. Armstrong
NOTARY PUBLIC

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase I ✓

CITY OF KEY WEST INDEMNIFICATION FORM

The Contractor shall indemnify and hold harmless the City of Key West, its officers, and employees, from liabilities, damages, losses and costs, including, but not limited to reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of Contractor and persons employed or utilized by Contractor in the performance of this agreement. Except as specifically provided herein, this agreement does not require Contractor to indemnify the City of Key West, its employees, officers, directors, or agents from any liability, damage, loss, claim, action or proceeding.

These indemnifications shall survive the term of this agreement. In the event that any action or proceeding is brought against the City of Key West by reason of such claim or demand, Contractor shall, upon written notice from the City of Key West, resist and defend such action or proceeding by counsel satisfactory to the City of Key West.

The indemnification provided above shall obligate Contractor to defend at its own expense to and through appellate, supplemental or bankruptcy proceeding, or to provide for such defense, at the City of Key West's option, any and all claims of liability and all suits and actions of every name and description covered above which may be brought against the City of Key West whether performed by Contractor, or persons employed or utilized by Contractor.

The Contractor's obligation under this provision shall not be limited in any way by the agreed upon Contract Price as shown in this agreement, or the Contractor's limit of or lack of sufficient insurance protection.

CONTRACTOR:

CHARLEY TOPPINO & SONS, INC.
P.O. BOX 787, KEY WEST, FL 33041

SEAL:

Address

Frank P. Toppino
Signature

FRANK P. TOPPINO

Print Name

PRESIDENT

Title

DATE:

10/6/09

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase I

Prohibited Interests Form and Notice

I FRANK P. TOPPINO, PRESIDENT certify that neither CHARLEY TOPPINO & SONS, INC.
(Printed Name) (Title) (Company Name)

nor any of its subcontractors shall enter into any contract, subcontract or arrangement in connection with the project or any property included or planned to be included in the project in which any member, officer or employee of the agency or the locality during tenure or for 2 years thereafter has any interest, direct or indirect. If any such present or former member, officer or employee involuntarily acquires or had acquired prior to the beginning of tenure any such interest, and if such interests is immediately disclosed to the City of Key West, The City of Key West, with prior approval of the Department of Transportation, may waive the prohibition contained in this paragraph provided that any such present member, officer or employee shall not participate in any action by the City of Key West or the locality relating to such contract, subcontract or arrangement

NOTICE: The FDOT requires the City of Key West to insert in all contracts entered into in connection with the project or any property included or planned to be included in any project, and shall require its contractors to insert in each of their subcontracts, the following provision:

“No member, officer or employee of the Agency or of the locality during this tenure or for 2 years thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof.”

The provisions of this paragraph shall not be applicable to any agreement between the Agency and its fiscal depositories or to any agreement for utility services the rates for which are fixed or controlled by a government agency.


Signature

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase IV

BIDDER'S CHECKLIST

(Note: The purpose of this checklist is to serve as a reminder of major items to be addressed in submitting a bid and is not intended to be all inclusive. It does not alleviate the Bidder from the responsibility of becoming familiar with all aspects of the Contract Documents and Proper completion and submission of his bid.)

1. All Contract Documents thoroughly read and understood
2. All blank spaces in Proposal filled in black ink.
3. Total and unit Prices added correctly.
4. Addenda acknowledged.
5. Subcontractors are named as indicated in the Proposal.
6. Experience record included.
7. Proposal signed by authorized officer.
8. Bid Bond completed and executed, including power-of-attorney dated the same day.
9. Bidder familiar with federal, state, and local laws, ordinances, rules and regulations affecting performance of the work.
10. Bidder, if successful, able to obtain and/or demonstrate possession of required licenses and certificates within 10 days after receiving a Notice of Award.
11. Proposal submitted intact with the volume containing the Bidding Requirements, Contract Forms and Conditions of the Contract.
12. Bid Documents submitted in sealed envelope and addressed and labeled in conformance with the instructions in the Request for Proposal.
13. Anti-kickback Affidavit, Public Entity Crime Forms, City of Key West Indemnification Form.
14. Required Licenses and Certificates as stated in the Request for Proposal.

REQUEST FOR PROPOSAL
RFP Sidewalk Enhancements Phase IV

STATEMENT OF NO PROPOSAL

Note: If you do not intend to submit a Proposal, please return this form ONLY.

TO: RFP 09-012 SIDEWALK ENHANCEMENTS PHASE IV
Office of the City Clerk
City of Key West P.O. Box 1409
Key West, FL. 33041-1409

We, the undersigned, have declined to submit a Proposal on the above-noted Request for Proposal for the following reasons:

- Insufficient time to respond to the Request for Proposal
- Do not offer this Product
- Our schedule will not permit us to perform
- Unable to meet specifications
- Specifications unclear (Please explain below)
- Remove us from the City of Key West's, "Bidder's Mailing List"
- Other (Please specify below)

REMARKS: _____

We understand that if a "no Proposal" statement is not returned, our name may be removed from the bidder's list of the City of Key West.

COMPANY NAME: _____

SIGNATURE: _____

DATE: _____ TELEPHONE: _____

Sidewalk Enhancement Proposal Phase IV

To: The City of Key West
Address: 525 Angela Street, P.O. Box 1409
Key West, Florida 33041
Project Title: Sidewalk Enhancements Phase IV
Project No.: RFP - 09-012

Design / Build Firm's (bidder) person to contact for additional information on this Proposal:

Name: Ronald J Armstrong
Telephone: 305 296 5606

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this Proposal are those named herein, that this Proposal is, in all respects, fair and without fraud, that it is made without collusion with any official of the Owner, and that the Proposal is made without any connection or collusion with any person submitting another Proposal on this Contract.

The Bidder further declares that he has carefully examined the Contract Documents, that he has personally inspected the Project, that he has satisfied himself as to the quantities involved, including materials and equipment, and conditions of work involved, including the fact that the description of the quantities of work and materials, as included herein, is brief and is intended only to indicate the general nature of the work and to identify the said quantities with the detailed requirements of the Contract Documents, and that this Proposal is made according to the provisions and under the terms of the Contract Documents, which Documents are hereby made a part of this Proposal.

The Bidder further agrees that he has exercised his own judgment regarding the interpretation of subsurface information and has utilized all data which he believes pertinent from the Engineer, Owner, and other sources in arriving at his conclusions.

The Bidder further agrees, as evidenced by signing the Proposal, which if awarded a Contract, the Florida Trench Safety Act and applicable trench safety standards will be complied with.

The Bidder understands and agrees that if a Contract is awarded, the Owner may elect to award all schedules under one Contract, separately, or in any combination that best serves the interests of the Owner.

Sidewalk Enhancement Proposal Phase IV

CONTRACT EXECUTION AND BONDS

The Bidder agrees that if this Proposal is accepted, he will, within 10 days, not including Sundays and legal holidays, after Notice of Award, sign the Contract in the form annexed hereto, and will at that time, deliver to the Owner examples of the Performance Bond and Payment Bond required herein, and evidence of holding required licenses and certificates, and will, to the extent of his Proposal, furnish all machinery, tools, apparatus, and other means of construction and do the work and furnish all the materials necessary to complete all work as specified or indicated in the Contract Documents.

CERTIFICATES OF INSURANCE

Bidder agrees to furnish the Owner, before commencing the work under this Contract, the certificates of insurance as specified in these Documents.

START OF CONSTRUCTION AND CONTRACT COMPLETION TIME

The Bidder further agrees to begin work within 14 calendar days of the Notice to Proceed (NTP) and to complete the construction in all respects within 350 calendar days from the date of the NTP.

LIQUIDATED DAMAGES

In the event the Bidder is awarded the Contract and fails to complete the work within the time limit or extended time limit agreed upon, as more particularly set forth in the Contract Documents, liquidated damages shall be paid to the Owner based on the FDOT Standard Specifications (2007) Section 8-10 until the work has been satisfactorily completed as provided by the Contract Documents. Sundays and legal holidays shall be included in determining days in default. FDOT 8-10 Code requirements govern, and herewith made a part of the Contract.

| Original Contract Amount | Daily Charge Per Calendar Day |
|--|--------------------------------------|
| \$50,000 and Under | \$313 |
| Over \$50,000 but less than \$250,000 | \$580 |
| \$250,000 but less than \$500,000 | \$715 |
| \$500,000 but less than \$2,500,000 | \$1,423 |
| \$2,500,000 but less than \$5,000,000 | \$2,121 |
| \$5,000,000 but less than \$10,000,000 | \$3,057 |

ADDENDA

The Bidder hereby acknowledges that he has received Addenda No's. 1, 2, _____, _____
(Bidder shall insert No. of each Addendum received) and agrees that all addenda issued are hereby made part of the Contract Documents, and the Bidder further agrees that his Proposal(s) includes all impacts resulting from said addenda.

Sidewalk Enhancement Proposal Phase IV

SALES AND USE TAXES

The Bidder agrees that all federal, state, and local sales and use taxes are included in the stated bid prices for the work.

Sidewalk Enhancement Proposal Phase IV

BID SCHEDULE

The Bidder further Proposes to accept as full payment for the work Proposed herein the amounts computed under the Provisions of the Contract Documents and based on the following Lump Sum amounts, it being expressly understood that the Lump Sum amounts are independent of the exact quantities involved. The Bidder agrees that the lump sum prices represent a true measure of the labor and materials required to perform the work, including all allowances for overhead and Profit for each type and unit of work called for in these Contract Documents. The amounts shall be shown in both words and figures. In case of a discrepancy, the amount shown in words shall govern. . Lump SUM price line items may be deleted, reduced or increased as required by the Owner.

| <u>Item</u> | <u>LS (Words)</u> | <u>LS (Fig)</u> |
|-------------|-------------------|-----------------|
|-------------|-------------------|-----------------|

Design/Build

1 Virginia St. sidewalks (Windsor Lane to Jose Marti Dr.)

| | | |
|-------------|---|------------|
| Alternate A | TWO HUNDRED AND NINETY SIX THOUSAND DOLLARS AND ZERO CENTS | 296,000.00 |
| LS | \$ _____ | \$ _____ |

| | | |
|---|---|----------|
| Alternate A - Performance and Payment Bonds | FOUR THOUSAND, TWO HUNDRED DOLLARS AND ZERO CENTS | 4,200.00 |
| LS | \$ _____ | \$ _____ |

| | | |
|-------------|---|------------|
| Alternate B | ONE HUNDRED AND FIFTY FOUR THOUSAND, FIVE HUNDRED DOLLARS AND ZERO CENTS | 154,500.00 |
| LS | \$ _____ | \$ _____ |

| | | |
|---|--|----------|
| Alternate B - Performance and Payment Bonds | TWO THOUSAND, TWO HUNDRED DOLLARS AND ZERO CENTS | 2,200.00 |
| LS | \$ _____ | \$ _____ |

1A Contingency Allowance – Virginia Street (include in extended lump sum total for each alternate)

| | | |
|----|--|-------------|
| LS | \$Eight Thousand Eight Hundred Fifty Dollars/ no cents | \$ 8,850.00 |
|----|--|-------------|

2 Applerouth Lane sidewalks (South side) (Whitehead St. to Duval St.)

| | | |
|-------------|---|-----------|
| Alternate A | TWENTY NINE THOUSAND, NINE HUNDRED AND THIRTY DOLLARS AND ZERO CENTS | 29,930.00 |
| LS | \$ _____ | \$ _____ |

Sidewalk Enhancement Proposal Phase IV

Alternate A - Performance and Payment Bonds

LS \$ FOUR HUNDRED AND FIFTY DOLLARS AND ZERO CENTS 450.00
\$ _____

Alternate B TWENTY FOUR THOUSAND, ONE HUNDRED AND SEVENTY DOLLARS ZERO CENTS

LS \$ _____ 24,170.00
\$ _____

Alternate B - Performance and Payment Bonds

LS \$ THREE HUNDRED AND FORTY DOLLARS AND ZERO CENTS 340.00
\$ _____

2A Contingency Allowance – Applerouth Lane (include in extended lump sum total for each alternate)

LS \$ One Thousand One Hundred Fifty Dollars/ no cents \$ 1,150.00

Alternate A – Virginia Street

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) THREE HUNDRED AND NINE THOUSAND, FIVE HUNDRED AND SIXTY DOLLARS
AND ZERO CENTS

\$ _____

(Numbers)

\$ 309,560.00

Alternate B – Virginia Street

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) ONE HUNDRED AND SIXTY FIVE THOUSAND, FIVE HUNDRED AND FIFTY DOLLARS
AND ZERO CENTS

\$ _____

(Numbers)

\$ 165,550.00

Sidewalk Enhancement Proposal Phase IV

Alternate A – Applerouth Lane

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) THIRTY ONE THOUSAND, FIVE HUNDRED AND THIRTY DOLLARS AND ZERO CENTS

\$ _____

(Numbers)

31,530.00

\$ _____

Alternate B – Applerouth Lane

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) TWENTY FIVE THOUSAND, SIX HUNDRED AND SIXTY DOLLARS AND ZERO CENTS

\$ _____

(Numbers)

25,660.00

\$ _____

Number of days to complete project (all locations):

Words: THREE HUNDRED AND SIXTY DAYS

Numbers: 360

For this Contract, the City has established alternate scopes of work, shown as the list of bid items under each of the Scope Alternates listed in the Request for Proposal. These alternates have been established in consideration of budget constraints. The City has assigned Contract award priority for the Scope Alternates as follows:

First Priority Alternate A
Second Priority Alternate B

The City intends to award the Contract to the responsible bidder with the lowest bid for the highest priority Scope Alternate for which the City determines funds are available. For the purpose of bidding, the City has established a maximum budget as follows:

Sidewalk Enhancement Proposal Phase IV

List items to be performed by Contractor's own forces and the estimated total cost of these items.

(Use additional sheets if necessary.)

| | |
|-----------------|-----|
| All Work Except | 95% |
| Asphalt Restor | 5% |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Sidewalk Enhancement Proposal Phase IV

SUBCONTRACTORS

The Bidder further proposes that the following subcontracting firms or businesses will be awarded subcontracts for the following portions of the work in the event that the Bidder is awarded the Contract:

Asphalt Restoration
Portion of Work

Bee Bros
Name

8302 Pines Blvd Pembroke Pines, FL 33024
Street City State Zip

Portion of Work

Name

Street City State Zip

Portion of Work

Name

Street City State Zip

Portion of Work

Name

Street City State Zip

Sidewalk Enhancement Proposal Phase IV

SURETY

The Hanover Ins. Co. whose address is
440 Lincoln St Worcester MA 01653
Street City State Zip

BIDDER

The name of the Bidder submitting this Proposal is

CHARLEY TOPPINO & SONS, INC.

_____ doing business at
P.O. Box 787 Key West FL 33044
Street City State Zip

which is the address to which all communications concerned with this Proposal and with the Contract shall be sent.

The names of the principal officers of the corporation submitting this Proposal, or of the partnership, or of all persons interested in this Proposal as principals are as follows:

| Name | Title |
|--------------------------|----------------------------|
| <u>Frank P. Toppino</u> | <u>President</u> |
| <u>Edward Toppino Sr</u> | <u>Secretary</u> |
| <u>Daniel P. Toppino</u> | <u>Assistant Secretary</u> |
| _____ | _____ |
| _____ | _____ |

Sidewalk Enhancement Proposal Phase IV

If Sole Proprietor or Partnership

IN WITNESS hereto the undersigned has set his (its) hand this _____ day of 2009.

Signature of Bidder

Title

If Corporation

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this 6 day of Oct 2009.

(SEAL)

CHARLEY TOPPING & SONS, INC.

Name of Corporation

By Frank P. [Signature]

Title President

Attest [Signature]

Secretary

EXPERIENCE OF BIDDER

Sidewalk Enhancement Proposal Phase IV

The Bidder states that he is an experienced Contractor and has completed similar projects within the last 5 years.

(List similar projects, with types, names of owners, construction costs, Engineers, and references with phone numbers. Use additional sheets if necessary.)

See Attached

CHARLEY TOPPINO & SONS, INC.

P.O. BOX 787

KEY WEST, FL 33041

305 296-5606

PAST PROJECTS

Please note: Frank P. Toppino and Edward Toppino, Sr., president and Secretary/Treasurer for CHARLEY TOPPINO & SONS, INC. has been involved, supervised, estimated and overseen the following projects. Paul E. Toppino and Edward Toppino, Jr. have also estimated and been involved in many of the following projects. Mr. Frank P. Toppino and Mr. Edward Toppino have been in the construction business for over 60 years each. Toppino's Inc., incorporated for 21 years, had its name change to CHARLEY TOPPINO & SONS, INC. 3 years ago.

1.) CITY OF KEY WEST

P.O. BOX 1409

KEY WEST, FL 33040

305 292-8195

SCOPE OF WORK: STORM DRAINAGE, INJECTIONS WELLS, SIDEWALKS, CURBS, FOUNDATIONS, PIER REPAIR, LANDSCAPING & MAINTENANCE, ROADWORK, ASPHALT.

PROJECTS:

| | | |
|--------------------------------------|-------------|----------|
| RIGHT OF WAY MAINTENANCE: 1998-2007 | \$2,352,000 | BOND YES |
| CONCRETE PLACEMENT- 2002, 2005, 2007 | \$2,400,000 | BOND YES |
| WHITE STREET PIER REPAIR | \$ 88,000 | BOND YES |
| STAPLES AVE BRIDGE | \$ 81,000 | BOND YES |
| HOCKEY RINK | \$ 50,000 | BOND YES |
| KAMIEN SUBDIVISION | \$1,656,000 | BOND YES |
| SOUTHERNMOST POINT REHABILITATION | \$ 73,000 | BOND YES |
| GENERAL SERVICES CON. 1998--2000 | \$4,000,000 | BOND YES |
| GENERAL SERVICES CON. 2002, 2005 | \$2,000,000 | BOND YES |
| GENERAL SERVICES CON. 2007 | \$2,000,000 | BOND YES |
| GRAVITY INJECTION WELLS: PHASE I | \$4,800,000 | BOND YES |
| GRAVITY INJECTION WELLS: PHASE II | \$2,236,000 | BOND YES |
| JOSE MARTI VEG REMOVAL / DRAINAGE | \$ 90,000 | BOND NO |
| SMATHERS BEACH LANDSCAPING | \$ 100,000 | BOND YES |
| DONALD AVE DRAINAGE SWALE | \$ 61,000 | BOND NO |
| HURRICANE GEORGES CLEANUP | \$ 431,000 | BOND NO |
| MITIGATION FLOW PROJECT | \$2,100,000 | BOND YES |
| HARBOR WALK KW BIGHT | \$3,040,000 | BOND YES |
| DINGY DOCKS 2001 | \$ 104,000 | BOND YES |
| FLAGLER AVE PHASE 1 & 2 | \$1,391,000 | BOND YES |

2.) MONROE COUNTY

1100 SIMONTON STREET

KEY WEST, FL 33040

305 292-4426

SCOPE OF WORK: SITE WORK, STORM DRAINAGE, INJECTIONS WELLS, SIDEWALKS, CURBS, LANDSCAPING, ROADWORK, ASPHALT, PLAYGROUNDS.

PROJECTS:

| | | |
|---|-------------|----------|
| PALM AVE ROADWAY | \$ 931,000 | BOND YES |
| WILHELMINA PARK | \$ 145,000 | BOND YES |
| MARATHON AIRPORT TAXILANES, T HANGER DEV. | \$2,366,000 | BOND YES |
| MARATHON AIRPORT SERVICE ROAD | \$ 688,000 | BOND YES |
| KW INTN AIRPORT: EXOTIC VEGETATION REMOVE | \$ 192,000 | BOND YES |
| KW INTN AIRPORT: PARKING LOTS | \$ 531,000 | BOND YES |
| BIG COPPITT PARK | \$ 860,242 | BOND YES |
| BIG PINE BASIN FILL IN AND DEMO | \$ 904,943 | BOND YES |
| MARATHON AIRPORT APRONS | \$ 376,344 | BOND YES |
| PRADO CIRCLE | \$ 339,00 | BOND YES |

3.) FLORIDA DEPT OF TRANSPORTATION

605 Suwannee Street
Tallahassee, FL 32399-0450

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, INJECTIONS WELLS, SIDEWALKS, CURBS, ROADWORK, ASPHALT, HURRICANE CLEANUP, RIP-RAP INSTALL,

| | | |
|---|--------------|----------|
| TRUMAN AVE PROJECT: | \$10,500,000 | BOND YES |
| BIG COPPITT BIKE PATH: | \$ 480,000 | BOND YES |
| EMERGENCY ROAD REPAIRS, HURR WILMA: | \$ 185,000 | BOND NO |
| HURRICANE GEORGES ROAD REPAIRS: | \$ 52,000 | BOND NO |
| KNIGHTS KEY | \$ 373,000 | BOND YES |
| BIG COPPITT BOAT RAMP & SPANISH HARBOR: | \$ 500,000 | BOND NO |
| BIKE PATH SADDLE BUNCH KEYS | \$ 450,000 | BOND YES |
| BOCA CHICA SEAGRASS MITIGATION | \$ 1,352,930 | BOND YES |

3.) SAUER INC

11223 PHILLIPS PARKWAY DR EAST
JACKSONVILLE, FL 32256-15274
KEY WEST PHONE: 305 295-8819

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, INJECTIONS WELLS, SIDEWALKS, CURBS, ROADWORK, ASPHALT.

PROJECTS:

| | | |
|--------------------------------|-----------|----------|
| CONTROL TOWER, BOCA CHICA NAS | \$832,000 | BOND YES |
| WEATHER STATION, KEY WEST | \$366,000 | BOND YES |
| NAVAL RESEARCH LAB | \$100,000 | BOND NO |
| REPAIR MARINE OPS, COAST GUARD | \$337,000 | BOND NO |

4.) FLORIDA KEY AQUADUCT AUTHORITY

1100 KENNEDY DRIVE
KEY WEST, FL 33040
305 296-2454

SCOPE OF WORK: SITE WORK, STORM DRAINAGE, SIDEWALKS, CURBS, ROADWORK, ASPHALT, STEEL BUILDING, WATER MAINS, DEMOLITION.

PROJECTS:

| | | |
|---------------------------------|-------------|----------|
| FKAA CONSTRUCTION YARD BUILDING | \$ 682,000 | BOND YES |
| PUMP STATION | \$ 377,555 | BOND YES |
| BIG COPPITT WASTE WATER SYSTEM | \$9,917,000 | BOND YES |
| DEMO WATER TANKS, BIG COPPITT | \$ 55,000 | BOND YES |
| FLAGLER AVE WATERMAIN | \$ 306,861 | BOND YES |

5.) GULF BUILDERS

P.O. BOX 668307
POMPANO BEACH, FL 33066
954 583-5115

SCOPE OF WORK: SITE WORK, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

| | | | |
|-----------------------------------|-------------|------|-----|
| ROOSEVELT GARDENS HOUSING PROJECT | \$1,256,000 | BOND | YES |
|-----------------------------------|-------------|------|-----|

6.) BJ&K CONSTRUCTION

970 WEST MCNAB ROAD
FORT LAUDERDALE, FL 33309
954 974-7744

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

| | | | |
|--------------------------|-------------|------|-----|
| MERIDIAN WEST APARTMENTS | \$1,700,000 | BOND | YES |
|--------------------------|-------------|------|-----|

7.) HEERY INTERNATIONAL

1625 DENNIS STREET
KEY WEST, FL 33040
305 293-3008

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, GAS LINES, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

KEY WEST HIGH SCHOOL REPLACEMENT: PHASES 1, 2, 3 \$633,000 BOND YES
POINCIANA ELEMENTARY SCHOOL: \$2,240,000 BOND YES

8. COASTAL CONSTRUCTION

5959 BLUE LAGOON DR
STE 200
MIAMI, FL 33126

SCOPE OF WORK: SITE WORK, DEMOLITION, FILL, CONCRETE FLATWORK, COLUMNS, RETAINING WALLS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

SUGARLOAF ELEMENTARY SCHOOL: \$2,300,000 BOND YES
BEACHSIDE CONDOS \$2,665,000 BOND YES

9.) HISTORIC TOURS OF AMERICA

201 FRONT STREET
Key West, Florida 33040

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, GAS LINES, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

PARK VILLAGE \$ 317,000 BOND NO
MARQUESA COURT \$ 405,000 BOND NO
KEY COVE LANDINGS \$ 675,000 BOND NO

10.) DEMOYA GROUPE

12209 S. DIXIE HWY
MIAMI, FL 33156 305 255-5713

SCOPE OF WORK: STORM DRAINAGE , INJECTIONS WELLS, ROAD BASE, CONCRETE WORK.

PROJECTS:

SOUTH ROOSEVELT BLVD. REHAB \$1,507,000.00 BOND NO

BIG COPPITT US 1 ROAD EXPANSION \$ 2,157,000 BOND NO (SUB)

11.) DL PORTER

6574 PALMER CIRCLE
SARASOTA, FL 34238

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, GAS LINES, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

| | | |
|---------------------------------|----------------|---------|
| HOMELAND SECURITY, KEY WEST | \$ 231,600.00 | BOND NO |
| KEY WEST INTERNATIONAL AIRPORT | \$ 724,000.00 | BOND NO |
| SANTA MARIA HOTEL | \$ 225,000.00 | BOND NO |
| COUCH HARBOR | \$ 210,000.00 | BOND NO |
| ATLANTIC SHORES DEMO & SITEWORK | \$1,011,000.00 | BOND NO |
| TRUMAN HOTEL SITEWORK | \$ 55,000.00 | BOND NO |

12. HARRY PEPPER & ASSOCIATES

215 CENTURY 21 DRIVE
JACKSONVILLE, FL 32216

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, GAS LINES, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

| | | |
|------------------------------------|------------|---------|
| REPAIR BASE OPERATIONS, BOCA CHICA | \$601,000 | BOND NO |
| ELLISON DRIVE, TRUMBO POINT | \$ 116,000 | BOND NO |
| BEQ, TRUMAN ANNEX | \$ 70,000 | BOND NO |
| JIAFT EAST WAREHOUSE | \$462,000 | BOND NO |

13. BRPH

3275 SUNTREE BLVD
MELBOURNE, FL 32940

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, GAS LINES, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

PROJECTS:

| | | |
|--------------------------------|-----------|---------|
| ECO DISCOVERY CENTER | \$ 50,000 | BOND NO |
| BOCA CHICA FITNESS CENTER | \$ 36,000 | BOND NO |
| MARINA BY PASS ROAD, BOCA | \$348,000 | BOND NO |
| TACTS BUILDING, BOCA CHICA | \$ 32,000 | BOND NO |
| NANCY FOSTER ENVIRONMENTAL CTR | \$541,000 | BOND NO |

BLDG. # 324 PARKING

\$93,000

BOND NO

14. DOOLEY MACK CONTRACTORS
5800 LAKEWOOD RANCH BLVD.
SARASOTA, FL 34240

SCOPE OF WORK: SITE WORK, DEMOLITION, STORM DRAINAGE, SANITARY SEWER, WATER MAINS, INJECTIONS WELLS, GAS LINES, SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, ASPHALT.

STEAMPLANT CONDOS
THE MEADOWS, KEY WEST

\$1,332,000.00
\$ 145,000.00

BOND YES
BOND NO

15. BOTANICAL GARDENS
5210 COLLEGE ROAD
KEY WEST, FL 33040
305 296-1504

SCOPE OF WORK: DEMOLITION, , SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, BOARDWALK / PILE CONSTRUCTION, BOULDER CUTTING & PLACEMENT, LAKE / POND CONSTRUCTION.

BOTANICAL GARDENS PHASE 1 POND
BOTANICAL GARDENS PHASE III

\$329,896.50
\$167,000.00

BOND YES
BOND YES

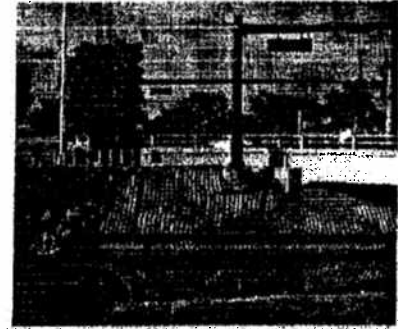
16. BALFOUR BEATTY MILITARY HOUSING MANAGEMENT LLC
10 CAMPUS BLVD.
NEWTOWN SQUARE, PA 19073
610 355-8051

SCOPE OF WORK: DEMOLITION, , SIDEWALKS, CURBS, ROADWORK, PARKING LOTS, BOARDWALK / PILE CONSTRUCTION, BOULDER CUTTING & PLACEMENT, LAKE / POND CONSTRUCTION.

RENOVATIONS FAMILY HOUSING MEDICAL CTR \$141,350.00
RENOVATIONS TO QUARTERS LB, MEDICAL CTR \$ 39,800.00

BOND NO
BOND NO

PREVIOUS EXPERIENCE: ROADWAY & STORMWATER



Immokalee Road 6-Lane Widening:

Naples, Collier County, Florida

Collier County selected Hole Montes, Inc., to provide design, surveying and project management services for the existing four-lane Immokalee Road. This project was separated into two phases:

Phase I is the six lane design from U.S 41 to just west of the I-75 Interchange. The Phase I project corridor is essentially a fully developed corridor with a mix of commercial and residential properties adjacent to the roadway. To reduce the cost of storm water treatment for the Phase I project by eliminating the need to purchase significant land area outside of the immediate roadway right of way, the use of storm-captor type treatment structures to remove suspended solids and exfiltration trenches for water quality has been proposed in the design. This concept has been accepted in principal by the South Florida Water Management District. The design of this phase was completed in the Fall of 2004, with construction beginning in the early Spring of 2005.

Phase II is the continuation of Phase I through the I-75 Interchange and includes significant lengthening of the westbound turn lane from Immokalee Road to I-75 south and the creation of long eastbound, dual left turn lanes from Immokalee Road to I-75 north. Phase II of this project also includes the widening of the northbound and southbound on-ramps and the south bound off-ramp to I-75. The design of Phase II was completed in the Summer of 2002 and the construction element of Phase II was completed in early 2003. Storm water treatment for the Phase II project is obtained by conventional means using treatment swales and outlet control structures.

CLIENT: BOARD OF COLLIER COUNTY COMMISSIONERS

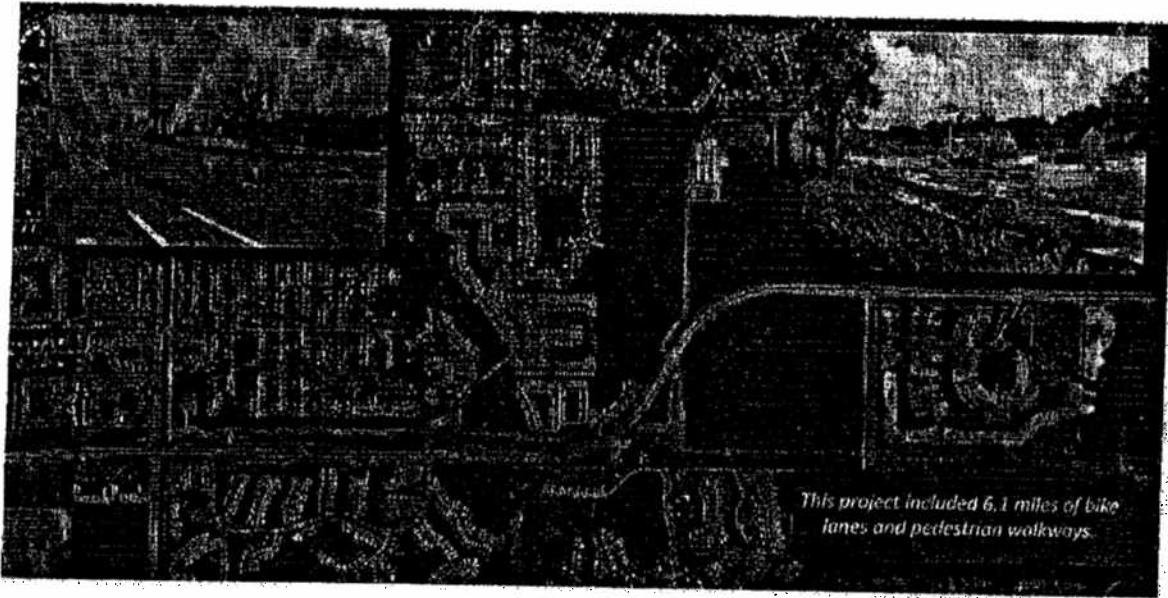
DISCIPLINES:
 CIVIL ENGINEERING
 SITE DEVELOPMENT
 SURVEY SERVICES
 PROJECT MANAGEMENT SERVICES

KEY PERSONNEL:
 WALTER B. GILCHER, JR., P.E.
 GEORGE H. HERMANSON, P.E.
 ROBERT L. MURRAY, P.E.
 F. GILFORD PEPPER III, P.E.
 THOMAS M. MURPHY, P.S.M.

NOTES: SIDEWALKS, STORMWATER TREATMENT STRUCTURES, AND OTHER SPECIALTY ITEMS TO BE INCLUDED IN THE URBANIZATION AND DEVELOPMENT.



PREVIOUS EXPERIENCE: ROADWAY & STORMWATER



Livingston Road & Imperial Street Corridor: Collier and Lee Counties, Florida

Hole Montes was selected by the Collier County officials to provide design, engineering, surveying, permitting and project management services for the portion of Livingston Road from the Lee County line south to Immokalee Road. The Hole Montes team conducted design and alternate location studies to arrive at an alignment that would reduce environmental and right-of-way impacts to existing wetlands and adjacent parcels. These studies required extensive vegetative mapping to determine the location and quality of wetland resources. Design plans were then prepared for 6.1 miles of 16-inch and 12-inch water mains, traffic signalization, signs and pavement marking, lighting and right-of-way plans for two lanes of an ultimate four-lane roadway including a bridge structure over the Cocohatchee Canal.

A major and complex element of the engineering services was the preparation of permit applications required by the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers (COE), the South Florida Water Management District (SFWMD) and the Big Cypress Basin. Extensive agency coordination along with the planning and preliminary design of mitigation features was undertaken to offset the loss of jurisdictional wetlands.

Lee County selected Hole Montes, Inc. to design the four-laning of Imperial Street in Bonita Springs, Florida, from Bonita Beach Road to East Terry Street. These two segments of Imperial Street both dead-end at the Imperial River. A new four-lane bridge spans 323' across the Imperial River and its floodplain to complete the Livingston Road/Imperial Street/Three Oaks Parkway connection from Collier to Lee Counties. The roadway design incorporates an urban cross-section with concrete walks, bicycle lanes, and landscape buffer areas.

Additional services with this project include corridor planning, development and evaluation of a new floodplain model for the Imperial River, and cooperative corridor drainage planning.

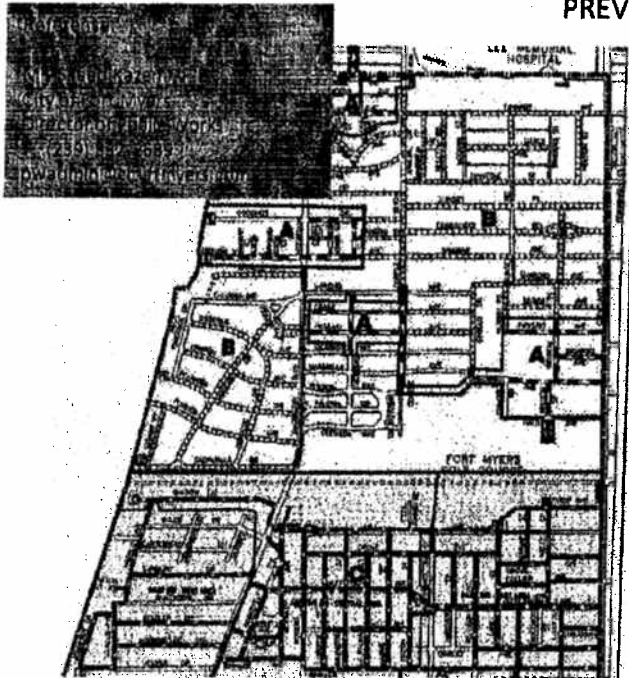
CLIENT:
 BOARDS OF COMMISSIONERS FOR
 COLLEGE COUNTY
 LEE COUNTY, DEPT. OF TRANSPORTATION

DISCIPLINES:
 CIVIL ENGINEERING
 SITE DEVELOPMENT
 SURVEY SERVICES
 PERMITTING
 PROJECT MANAGEMENT SERVICES
 LANDSCAPE ARCHITECTURE

KEY PERSONNEL:
 WALTER E. GILCHERT, JR., P.E.
 GEORGE H. HERMANSON, P.E.
 ROBERT J. MURRAY, P.E.
 THOMAS M. MURPHY, P.E.
 NICOLE MAXEY, P.E.
 THERESA ARTUSO, B.A./A.S./A. LEED AP



PREVIOUS EXPERIENCE: ROADWAY & STORMWATER



Carrell Road/Winkler Avenue Utility & Drainage Improvements

Older sections of the City of Fort Myers exhibited an aging utility system which required extensive annual maintenance and taxed the wastewater treatment facility during peak rainfall events due to widespread infiltration of the underground wastewater systems. Hole Montes, Inc. completed the design to revamp the utility system to provide an updated water system for service and fire protection, and a more economical and efficient wastewater system. During this project the City also renovated the roadway drainage system and provided additional sidewalks and traffic calming measures. The final scope of the project was for the design of approximately 108,000 linear feet of sanitary sewers, 81,000 linear feet of water mains, 24,000 linear feet of force main, 12 lift stations, and an extensive drainage analysis and design for the one-square mile community. The project was designed in multiple phases to afford the flexibility to the City to bid portions as funding was in place, and renovation needs dictated.

Hole Montes also provided a vital role in coordinating with the affected City residents – providing updates as to the progress of the design, neighborhood meetings during construction, a website for public information, continuing field communication with the residents on nearly a daily basis, and coordination with emergency services. We also provided cost and time savings for the project by utilizing HM inspection force for material testing.

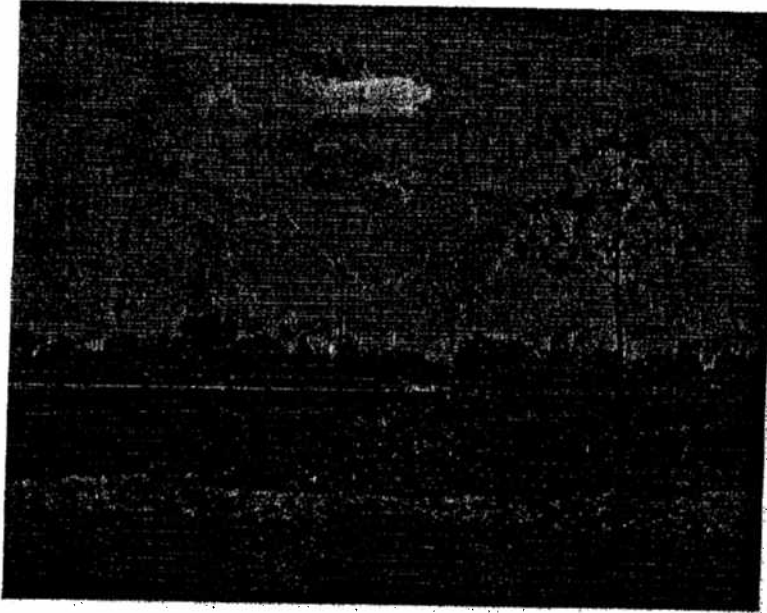
As a sub-product of the Carrell-Winkler Utility project, the City had obtained HMGP (Hazard Mitigation Grant Program) funding eligibility to review recurrent flooding within a section of the project. HM provided a detailed ICPR analysis of the sub-watershed, and predicted flooding extents. HM also provided concepts for abating flooding and benefit/cost data for City review. The project is still under review and evaluation.

CLIENT: CITY OF FORT MYERS, FLORIDA
 DISCIPLINES:
 WATER/WASTEWATER ENGINEERING
 CIVIL/ROADWAY ENGINEERING
 OTHER SERVICES PROVIDED:
 CONTRACT ADMINISTRATION
 FULLTIME INSPECTION
 START UP ASSISTANCE
 PREPARATION OF D&M MANUAL
 STAFF TRAINING
 KEY PERSONNEL:
 ROBERT MURRAY, P.E.
 CLIFFORD PEPPER III, P.E.
 RICHARD BRYLANSKI, P.E.
 JERRY TARCISKA, PH.D., R.E.
 E. JOSEPH GOETZ, P.E.
 NICOLE MAXEY, R.E.
 COMPLETION DATE:
 PHASE A - 2008
 PHASE C - 2008
 HMGP GRANT IN REVIEW
 CONSTRUCTION COST:
 PHASE A - \$7.2 MILLION
 PHASE C - \$24.6 MILLION

HOLES MONTE'S, INC. PROVIDES WATER AND STORMWATER UTILITY DESIGN AND CONSTRUCTION SERVICES.



PREVIOUS EXPERIENCE: ROADWAY & STORMWATER



Dearborn Street Widening:

Sarasota County, Florida

Dearborn Street is an arterial connector roadway which is the gateway for the downtown Englewood retail-tourism center in Sarasota County. It also provides an essential route for evacuation. Pressed with those two vital needs to the economy and citizens, Hole Montes was tasked with the design, permitting and construction administration for the revitalization of rural two-lane road into a scenic four-lane divided roadway with sidewalks, bikeways and streetscape accents. All of these elements were needed, but additional right-of-way was not available, and therefore these elements were required within the extents of only the existing 100 foot wide right-of-way. In addition to the roadway improvements – the project required a new bridge crossing of Gottfried Creek, and an extensive drainage system analysis to abate recurring flooding within the adjacent residential neighborhood.

The project utilized ICPR storm system modeling to predict existing flooding and used also to evaluate the proposed improvements. The Dearborn Street drainage improvements were then linked with the existing FDOT SR 776 system, and supplemented with on-site surface water treatment areas proposed within the project. The final project provided a drainage system to alleviate neighborhood flooding, provide for roadway excess runoff storm water treatment, and provide environmental mitigation vegetated areas. The project required environmental resource permitting through Southwest Florida Water Management District and Army Corp of Engineers, as well as bridge review by the US Coast Guard.

Project funding was made available by Sarasota County and supplemented through a LAP grant by FDOT. Additionally, decorative lighting costs was subsidized by the Englewood CRA. As such, the project required close coordination with all of the team members, as well as the many utilities affected by the development, such as COMCAST, TECO, FPL, Sprint and Englewood Water District. The project was completed in August 2008, and was completed within budget.

CLIENT: SARASOTA COUNTY PUBLIC WORKS

DISCIPLINES:

- CIVIL ENGINEERING
- STORM WATER MODELING
- UTILITY ENGINEERING
- ROADWAY ENGINEERING

KEY PERSONNEL:

- RICHARD E. BAYANSKI, P.E.
- WALTER F. GILCHRIST, P.E.
- VALENTIN ZBRAYKOV

DESIGN COMPLETION: 2008

SUBSTANTIALLY COMPLETION: 2008

PROJECT OWNER: SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

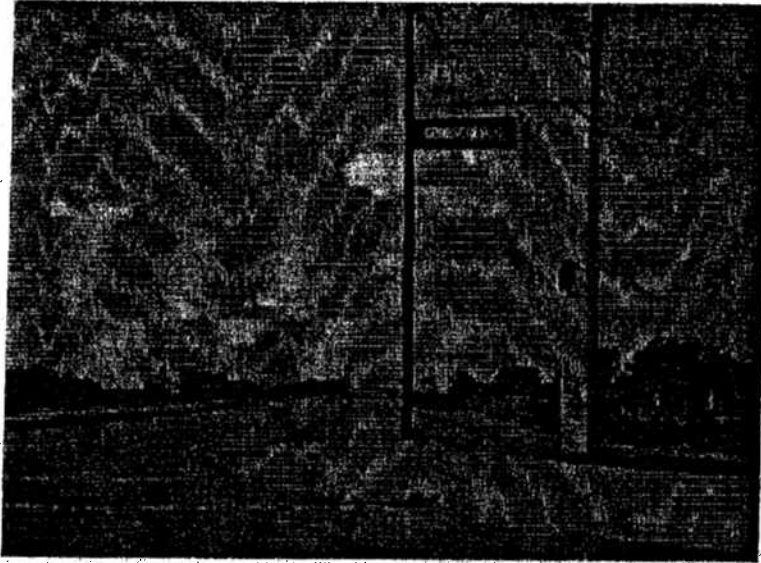
NOT A MEMBER OF THE PROFESSIONAL ENGINEERING BOARD OF FLORIDA

COMPLETED BY: HOLE MONTE

PHONE: 941.555.4400 FAX: 941.555.4401



PREVIOUS EXPERIENCE: ROADWAY & STORMWATER



Via Coconut Point - Sandy Lane Extension: Fort Myers, Lee County, Florida

This project is a new four-lane road that is a total of 3.8 miles in length and connects existing Sandy Lane at Corkscrew Road to Pelican Colony Boulevard at U.S. 41 to provide a segment of the north-south corridor from the City of Bonita Springs to Allco Road. It was designed within a 100 foot right of way corridor and required a "fast track" approach due to a new regional shopping mall which accelerated the need for the new roadway corridor.

Some of the elements of the project included establishing multiple turn lane locations for present and future usage, defining right of way, buffering with landscape elements, designing water and sewer needs, conveying drainage to joint use ponds, incorporating roundabouts at two intersections, and working with the Seminole Gulf Railway for Roadway crossing and drainage improvements. The roadway characteristics of these phases include new sidewalk, lighting, a sound wall, three new signals; one at US41 at Village Shops Way and two on Sandy Lane for Coconut Road and for Corkscrew Road. A new railroad crossing and an open cut installation of storm drains under Seminole Gulf Railway (SGRW) required critical coordination with the Dispatcher, Engineers and Construction managers at SGRW.

The permits obtaining included SPWMD ERP permits and development orders for each of the three phases, ACOE permits, and FDOT drainage and roadway connection permits. The project added significant surface water treatment areas; these lakes, swales and detention areas were constructed during high ground water levels and posed an unusual challenge to the Contractor. Both temporary and permanent storm water collection systems gathered surface water during construction and discharged into a sensitive wetland area causing rigorous attention by Lee County and the Department of Environmental Protection. Hole Montes monitored the runoff and assisted the contractor to attain special dewatering permits and the services of a local environmental firm to keep construction on schedule.

CLIENT: SIMON PROPERTY GROUP

DISCIPLINES:

ROADWAY DESIGN
UTILITY DESIGN
STRUCTURAL DESIGN
SURVEY SERVICES
LANDSCAPE ARCHITECTURE

KEY PERSONNEL:

WALTER E. SILCHER, JR., P.E.
THOMAS MCCLEAN, P.E.
JOSEPH JURAWICZ, P.E., LEED AP
THOMAS M. MURPHY, P.S.M.
THERESA ARTURO, RIA/ASLA, LEED AP

COMPLETION DATE: 2008

Hole Montes LLP
111 Adams Street, Suite 1000
Fort Myers, FL 33901
Phone: 941.335.5100
Fax: 941.335.5101
www.holemontes.com
NO LIABILITY FOR SUBMITTALS OR FOR
STORMWATER DRAINAGE SYSTEMS
DESIGNED BY OTHER FIRMS





Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

STEPHANIE C. KOPELOUSOS
SECRETARY

July 8, 2008

CHARLEY TOPPINO & SONS, INC.
BOX 787
KEY WEST, FLORIDA 33041

"REVISED"
RE: CERTIFICATE OF QUALIFICATION

Dear Sir/Madam:

The Department of Transportation has qualified your company for the amount and the type of work indicated below. Unless your company is notified otherwise, this rating will expire 6/30/2009. However, the new application is due 4/30/2009.

In accordance with S.337.14 (1) F.S. your next application must be filed within (4) months of the ending date of the applicant's audited annual financial statements and, if applicable, the audited interim financial statements. Section 337.14 (4) F.S. provides that your certificate will be valid for 18 months after your financial statement date. This gives a two month period to allow you to bid on jobs as we process your new application for qualification. To remain qualified with the Department, a new application must be submitted subsequent to any significant change in the financial position or the structure of your firm as described in Section 14-22.005(3), Florida Administrative Code.

MAXIMUM CAPACITY RATING: \$444,600,000.00

FDOT APPROVED WORK CLASSES:

DEBRIS REMOVAL, DRAINAGE, FLEXIBLE PAVING, GRADING, GRASSING, SEEDING AND SODDING, INTERMEDIATE BRIDGES, MINOR BRIDGES, ROADWAY SIGNING

FDOT APPROVED SPECIALITY CLASSES OF WORK:


UNDERGROUND UTILITIES, SIDEWALKS CONCRETE CURB.

Please be advised the Department of Transportation has considered your company's qualification in all work classes requested. We have evaluated your company's organization, management, work experience, work performance and adequacy of equipment as directed by section 14-22.003, Florida Administrative Code. Based on this evaluation, the Department is not able, at this time, to prequalify your company for the work classes: ELECTRICAL WORK, FENCING, GUARDRAIL.

CHARLEY TOPPINO & SONS, INC.
July 8, 2008
Page two

You may apply, in writing, for a Revised Certificate of Qualification at any time prior to the expiration date of this certificate according to Section 14-22.0041(3), Florida Administrative Code. Please be advised if certification in additional classes of work is desired, documentation is needed to show that your company has done such work with your own forces and equipment or that experience was gained with another contractor and that you have the necessary equipment for each additional class of work requested.

Sincerely,



Juanita Moore, Manager
Contracts Administration Office

JM:cj



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

STEPHANIE C. KOPELOUSOS
SECRETARY

June 10, 2009

RECEIVED

JUN 13 2009

HOLE MONTES, INC.

Walter F. Gilcher, P.E., Director
HOLE, MONTES, INC.
6200 Whiskey Creek Drive
Fort Myers, Florida 33919

Dear Mr. Gilcher:

The Florida Department of Transportation has reviewed your application for qualification package and determined that the data submitted is adequate to qualify your firm for the following types of work:

- Group 3 - Highway Design - Roadway
 - 3.1 - Minor Highway Design
 - 3.2 - Major Highway Design
- Group 7 - Traffic Operations Design
 - 7.1 - Signing, Pavement Marking and Channelization
- Group 8 - Survey and Mapping
 - 8.1 - Control Surveying
 - 8.2 - Design, Right of Way & Construction Surveying
 - 8.4 - Right of Way Mapping
- Group 10 - Construction Engineering Inspection
 - 10.1 - Roadway Construction Engineering Inspection
 - 10.3 - Construction Materials Inspection
- Group 13 - Planning
 - 13.5 - Subarea/Corridor Planning
 - 13.6 - Land Planning/Engineering
- Group 15 - Landscape Architect

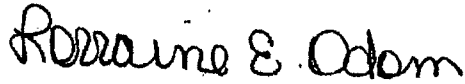
Page 2

Your firm is now qualified to do work for the Department for minor projects only. This level of qualification allows consultants to compete for minor projects with fees estimated at below \$250,000.00.

Your Notice of Qualification shall be valid for one year from the date of this letter. We will automatically notify your firm 45 to 60 days prior to your update deadline.

Should you have any questions, please feel free to contact me at 850/414-4485.

Sincerely,



Lorraine E. Odom
Professional Services
Qualification Administrator

LEO/smr

ATTACHMENT: I

FORM 575-060-13
RIGHT OF WAY - 05/01

**NON-COLLUSION DECLARATION AND
COMPLIANCE WITH 49 CFR §29.**

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ITEM/SEGMENT NO.: _____
F.A.P. NO.: _____
PARCEL NO.: _____
COUNTY OF: MONROE
BID LETTING OF: _____, _____

I, FRANK P. TOPPINO, hereby
declare that I am PRESIDENT (NAME) of CHARLEY TOPPINO AND SONS, INC.
Of KEY WEST, FL 33040 (TITLE) (FIRM)
(CITY AND STATE)

and that I am the person responsible within my firm for the final decision as to the price(s) and amount of this Bid on this State Project.

I further declare that:

1. The prices(s) and amount of this bid have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition with any other contractor, bidder or potential bidder.
2. Neither the price(s) nor the amount of this bid have been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to the bid opening.
3. No attempt has been made or will be made to solicit, cause or induce any other firm or person to refrain from bidding on this project, or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.
4. The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary bid.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by any firm or person to refrain from bidding or to submit a complementary bid on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any other project, in consideration for my firm's submitting a complementary bid, or agreeing to do so, on this project.

ATTACHMENT: I

**FAILURE TO FULLY COMPLETE AND EXECUTE THIS DOCUMENT
MAY RESULT IN THE BID BEING DECLARED NONRESPONSIVE**

7. I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's bid on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this Declaration.

8. As required by Section 337.165, Florida Statutes, the firm has fully informed the Department of Transportation in writing of all convictions of the firm, its affiliates (as defined in Section 337.165(l)(a), Florida Statutes), and all directors, officers, and employees of the firm and its affiliates for violation of state or federal antitrust laws with respect to a public contract or for violation of any state or federal law involving fraud, bribery, collusion, conspiracy or material misrepresentation with respect to a public contract. This includes disclosure of the names of current employees of the firm or affiliates who were convicted of contract crimes while in the employ of another company.

9. I certify that, except as noted below, neither my firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, and/or position involving the administration of Federal funds:

(a) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions, as defined in 49 CFR §29.110(a), by any Federal department or agency;

(b) has within a three-year period preceding this certification been convicted of or had a civil judgment rendered against him or her for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, State or local government transaction or public contract; violation of Federal or State antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;

(c) is presently indicted for or otherwise criminally or civilly charged by a Federal, State or local governmental entity with commission of any of the offenses enumerated in paragraph 9(b) of this certification; and

(d) has within a three-year period preceding this certification had one or more Federal, State or local government public transactions terminated for cause or default.

10. I(We), certify that I(We), shall not knowingly enter into any transaction with any subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this contract by any Federal Agency unless authorized by the Department.

Where I am unable to declare or certify as to any of the statements contained in the above stated paragraphs numbered (1) through (10), I have provided an explanation in the "Exceptions" portion below or by attached separate sheet.

ATTACHMENT: I
FAILURE TO FULLY COMPLETE AND EXECUTE THIS DOCUMENT
MAY RESULT IN THE BID BEING DECLARED NONRESPONSIVE

EXCEPTIONS:

None

(Any exception listed above will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted, indicate to whom it applies, initiating agency and dates of agency action.)

Providing false information may result in criminal prosecution and/or administrative sanctions.)

I declare under penalty of perjury that the foregoing is true and correct.

CONTRACTOR: (Seal)

BY: FRANK P. TOPPINO, PRESIDENT

WITNESS: RONALD J. ARMSTRONG

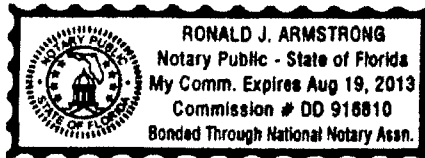
NAME AND TITLE PRINTED

BY: *Frank P. Toppino*

WITNESS: *Ronald J. Armstrong*

SIGNATURE

Executed on this 6 day of Oct, 2009



**ATTACHMENT: I
FAILURE TO FULLY COMPLETE AND EXECUTE THIS DOCUMENT
MAY RESULT IN THE BID BEING DECLARED NONRESPONSIVE**


ATTACHMENT B: SUSPENSION AND DEBARMENT CERTIFICATION

CERTIFICATION REGARDING DEBARMENTS, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER FEDERALLY FUNDED TRANSACTIONS

1. The undersigned hereby certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. The undersigned also certifies that it and its principals:
 - (a) Have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - (b) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 2.(a) of this Certification; and
 - (c) Have not within a three-year period preceding this certification had one or more public transactions (Federal, State or local) terminated for cause or default.

3. Where the undersigned is unable to certify to any of the statements in this certification, an explanation shall be attached to this certification.

Dated this day of, 20 10/6/09
By 
Authorized Signature/Contractor
FRANK P. TOPPINO PRESIDENT

Typed Name/Title

CHARLEY TOPPINO & SONS, INC.

Contractor's Firm Name

P.O. BOX 787

Street Address

Building, Suite Number

KEY WEST, FL 33041

City/State/Zip Code

305 296-5606

Area Code/Telephone Number

ATTACHMENT H:

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

| | | |
|---|--|---|
| <p>1. Type of Federal Action: <input type="checkbox"/></p> <p>a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p> | <p>2. Status of Federal Action: <input type="checkbox"/></p> <p>a. bid/offer/application b. initial award c. post-award</p> | <p>3. Report Type: <input type="checkbox"/></p> <p>a. initial filing b. material change</p> <p>For Material Change Only: year _____ quarter _____ date of last report _____</p> |
| <p>4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:</p> <p>Congressional District, if known:</p> | <p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>MA</p> <p>Congressional District, if known:</p> | |
| <p>6. Federal Department/Agency:</p> | <p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable: _____</p> | |
| <p>8. Federal Action Number, if known:</p> | <p>9. Award Amount, if known:</p> <p>\$</p> | |

| | |
|--|--|
| <p>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</p> <p style="text-align: right;">(attach Continuation Sheet(s))</p> | <p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</p> <p style="text-align: center; font-size: 2em;">NA</p> <p style="text-align: right;">SF-LLLA, if necessary)</p> |
| <p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p> | <p>Signature: <u>Frank P. Toppino</u></p> <p>Print Name: FRANK P. TOPPINO</p> <p>Title: PRESIDENT</p> <p>Telephone No.: 305 296-5606</p> <p>Date: 10/6/09</p> |
| <p>Federal Use Only:</p> <p style="text-align: right;">Authorized for Local Reproduction Standard Form - LLL (Rev 7 - 97)</p> | |

Form DEP 55-221 (01/01)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by the reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

Form DEP 55-221 (01/01)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
ANTICIPATED DBE PARTICIPATION STATEMENT

275-030-11A
 EQUAL OPPORTUNITY OFFICE
 02/08

| 1. FINANCIAL PROJECT NO. | 2. FAP NO. | 3. CONTRACT NO. | 4. COUNTY(IES) | 6. DISTRICT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|----------------------------|---|-------------------|-------------------------------|------------------------|---------------|-----------------------------|---|-------------|--|--|---|--|--|--|---|--|--|--|---|--|--|--|---|--|--|--|---|--|--|--|--|--|----------------------------|-------------------------------|--|--|--------|-------|
| | | | MONROE | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6. PRIME CONTRACTOR NAME | | | 7. FEID NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CHARLEY TOPPINO & SONS, INC. | | | 59- 2426 906 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8. CONTRACT DOLLAR AMOUNT | | | 9. REVISION? <u>NO</u> IF YES, REVISION NUMBER: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10. IS THE PRIME CONTRACTOR A FLORIDA CERTIFIED "DBE"? (DISADVANTAGED BUSINESS ENTERPRISE) | | | 11. IS THE WORK OF THIS CONTRACT CONSTRUCTION <input checked="" type="checkbox"/> OR MAINTENANCE <input type="checkbox"/> ? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12. ANTICIPATED DBE SUBCONTRACTS: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">DBE SUBCONTRACTOR or SUPPLIER</th> <th style="width: 30%;">TYPE OF WORK/SPECIALTY</th> <th style="width: 20%;">DOLLAR AMOUNT</th> <th style="width: 20%;">PERCENT OF CONTRACT DOLLARS</th> </tr> </thead> <tbody> <tr> <td>A</td> <td style="text-align: center;"><i>None</i></td> <td></td> <td></td> </tr> <tr> <td>B</td> <td></td> <td></td> <td></td> </tr> <tr> <td>C</td> <td></td> <td></td> <td></td> </tr> <tr> <td>D</td> <td></td> <td></td> <td></td> </tr> <tr> <td>E</td> <td></td> <td></td> <td></td> </tr> <tr> <td>F</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">11A TOTAL DOLLARS TO DBE'S</td> <td style="text-align: right;">11B TOTAL PERCENT OF CONTRACT</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">\$0.00</td> <td style="text-align: right;">0.00%</td> </tr> </tbody> </table> | | | | | DBE SUBCONTRACTOR or SUPPLIER | TYPE OF WORK/SPECIALTY | DOLLAR AMOUNT | PERCENT OF CONTRACT DOLLARS | A | <i>None</i> | | | B | | | | C | | | | D | | | | E | | | | F | | | | | | 11A TOTAL DOLLARS TO DBE'S | 11B TOTAL PERCENT OF CONTRACT | | | \$0.00 | 0.00% |
| DBE SUBCONTRACTOR or SUPPLIER | TYPE OF WORK/SPECIALTY | DOLLAR AMOUNT | PERCENT OF CONTRACT DOLLARS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| A | <i>None</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| F | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 11A TOTAL DOLLARS TO DBE'S | 11B TOTAL PERCENT OF CONTRACT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | \$0.00 | 0.00% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13. SUBMITTED BY | | 12. DATE | 13. TITLE OF SUBMITTER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| RONALD J. ARMSTRONG | | | PROJECT MANAGER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14. EMAIL ADDRESS OF SUBMITTER | | 15. FAX NUMBER | 16. PHONE NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOPPKW@AOL.COM | | 305 296-5606 | 305 296-5606 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: THIS INFORMATION IS USED TO TRACK AND REPORT ANTICIPATED DBE PARTICIPATION IN ALL STATE AND FEDERALLY FUNDED FDOT CONTRACTS. THE ANTICIPATED DBE AMOUNT IS VOLUNTARY AND WILL NOT BECOME A PART OF THE CONTRACTUAL TERMS. THIS FORM MUST BE SUBMITTED AT THE PRE CONSTRUCTION OR PRE WORK CONFERENCE. FDOT STAFF FORWARDS THE FORM TO THE EQUAL OPPORTUNITY OFFICE. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| THE FOLLOWING SECTIONS ARE FOR FDOT USE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DIS T | 17. PROCESSED BY | 18. DATE TO EO OFFICE | 19. LETTING DATE | 20. EXECUTED DATE | 21. PRECON CONF DATE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 22. SUBMITTED TO EO BY | | <input type="checkbox"/> FAX <input type="checkbox"/> EMAIL <input type="checkbox"/> SHARED FOLDER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EO OFC | 23. INCLUDED IN DBE PARTICIPATION REPORT OF (MD/Y) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**CONSTRUCTION CONTRACTORS
BID OPPORTUNITY LIST**

275-030-11
EQUAL OPPORTUNITY OFFICE
02/08
Page 8 of 8

Please complete and mail or fax to:
Equal Opportunity Office
605 Suwannee St., MS 65
Tallahassee, FL 32399-0450
TELEPHONE: (850) 414-4747
FAX: (850) 414-4879

This information may also be included in your bid or proposal package.

Prime Contractor/Consultant: CHARLEY TOPPINO & SONS, INC.
Address/Telephone Number: P.O. BOX 787 KEY WEST, FL 33041 305 296-5606
Bid/Proposal Number: _____
Quote Submitted MM/YR: _____

49 CFR Part 26.11 requires the Florida Department of Transportation to develop and maintain a "bid opportunity list." The list is intended to be a listing of all firms that are participating, or attempting to participate, on DOT-assisted contracts. The list must include all firms that bid on prime contracts, or bid or quote subcontracts and materials supplies on DOT-assisted projects, including both DBEs and non-DBEs. For consulting companies this list must include all subconsultants contacting you and expressing an interest in teaming with you on a specific DOT assisted project. Prime contractors and consultants must provide information for Nos. 1, 2, 3 and 4 and should provide any information they have available on Numbers 5, 6, 7, and 8 for themselves, and their subcontractors and subconsultants.

- | | | |
|---------------------------------|---|--|
| 1. Federal Tax ID Number: _____ | 6. <input type="checkbox"/> DBE | 8. Annual Gross Receipts |
| 2. Firm Name: _____ | <input type="checkbox"/> Non-DBE | <input type="checkbox"/> Less than \$1 million |
| 3. Phone: _____ | | <input type="checkbox"/> Between \$1 - \$5 million |
| 4. Address: _____ | | <input type="checkbox"/> Between \$5 - \$10 million |
| _____ | 7. <input type="checkbox"/> Subcontractor | <input type="checkbox"/> Between \$10 - \$15 million |
| _____ | <input type="checkbox"/> Subconsultant | <input type="checkbox"/> More than \$15 million |
| 5. Year Firm Established: _____ | | |

- | | | |
|---------------------------------|---|--|
| 1. Federal Tax ID Number: _____ | 6. <input type="checkbox"/> DBE | 8. Annual Gross Receipts |
| 2. Firm Name: _____ | <input type="checkbox"/> Non-DBE | <input type="checkbox"/> Less than \$1 million |
| 3. Phone: _____ | | <input type="checkbox"/> Between \$1 - \$5 million |
| 4. Address: _____ | | <input type="checkbox"/> Between \$5 - \$10 million |
| _____ | 7. <input type="checkbox"/> Subcontractor | <input type="checkbox"/> Between \$10 - \$15 million |
| _____ | <input type="checkbox"/> Subconsultant | <input type="checkbox"/> More than \$15 million |
| 5. Year Firm Established: _____ | | |

- | | | |
|---------------------------------|---|--|
| 1. Federal Tax ID Number: _____ | 6. <input type="checkbox"/> DBE | 8. Annual Gross Receipts |
| 2. Firm Name: _____ | <input type="checkbox"/> Non-DBE | <input type="checkbox"/> Less than \$1 million |
| 3. Phone: _____ | | <input type="checkbox"/> Between \$1 - \$5 million |
| 4. Address: _____ | | <input type="checkbox"/> Between \$5 - \$10 million |
| _____ | 7. <input type="checkbox"/> Subcontractor | <input type="checkbox"/> Between \$10 - \$15 million |
| _____ | <input type="checkbox"/> Subconsultant | <input type="checkbox"/> More than \$15 million |
| 5. Year Firm Established: _____ | | |

Attachment P

See Attached

From: Charley Toppino & Sons Inc.
Sent: September 28, 2009
Subject: Invitation to Bid - Sidewalk Enhancement Phase IV - Key West, FL

Invitation To Bid



We Encourage Participation of: SBE, MBE, WBE SBRA'S SDVOSB Company's

JOB TITLE - SIDEWALK ENHANCEMENTS PHASE IV

BIDS - October 13, 2009

Please contact Paul Toppino or Ron Armstrong for any clarification you may need on this ITB and future ones delivered from, Charley Toppino & Son's Inc. (305) 296-5606 Office

From: Paul Toppino (*Estimator*)
Phone : (305) 296-5606
Fax: (305) 296-5189

Charley Toppino & Sons Inc.
MM 8.5 US HWY 1
Rockland Key
Key West, FL 33040

Respond "Interested" or "Not Interested" by: **ASAP Bid must be in by : 4 days prior to bid date**
Please respond to all ITB to Paul Toppino by email (pault@toppinocompanies.com)

INTERESTED Will review plans & specs
At www.demandstar.com RFP-09-
012 Sidewalk Enhancements Phase IV-0-
2009/tds

NOT INTERESTED - Include on future bids

NOT INTERESTED - Exclude from future bids

Project Information

Project Title: City of Key West Sidewalk Enhancement Phase IV

Type/ Sidewalks & Ramps

Location: Virginia St & Applerouth Lane - Key West, FL

Scope of Work: This project proposes the design and construction of sidewalk improvements with curb, curb cuts, crosswalks, and signage and pavement replacement and pavement markings. This work shall include engineering design-survey-field engineering services, and FDOT administrative grant requirements.

Concrete Finishers
Asphalt Pavers

Signage
Pavement Markings

Cassandra Toppino

From: Cassandra Toppino [cassandra@charleytoppinoandsons.com]
Sent: Monday, September 28, 2009 3:07 PM
To: 'Denny@ipgnetwork.net'; 'theartisgroup@yahoo.com'; 'mcbayneclive@aol.com';
'jenkenney@gmail.com'; 'CARLOS@PLATINUMCORP.NET'; 'marquigc@comcast.net';
'vendall111@msn.com'; 'YRHTC@AOL.COM'; 'carterscontracting@hotmail.com'
Cc: 'toppkw@aol.com'; 'pault@toppinocompanies.com'
Subject: Invitation To Bid - Charley Toppino & Sons Inc - Key West, FL - Sidewalk Enhancements - Phase IV through VI
Attachments: sidewalk Phase IV Bid Invitation.pdf; sidewalk Phase V Bid Invitation.pdf; sidewalk Phase VI Bid Invitation.pdf

Greetings:

Please find attached invitation to Bid on Sidewalk Enhancements Phase Iv to VI - Monroe County, Key West, FL

Cassandra Toppino
Project Administrator

9/28/2009

**PUBLISHED DAILY
MIAMI-DADE-FLORIDA**

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

Before the undersigned authority personally
appeared:

ORFINDA MORENO

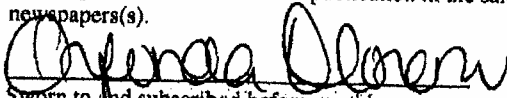
Who on oath says that he/she is

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at
Miami in Miami-Dade County, Florida; that the
attached copy of advertisement was published in said
newspaper in the issues of:

September 24 and September 30, 2009

Affiant further says that the said The Miami Herald
is a newspaper published at Miami, in the said
Miami-Dade County, Florida and that the said
newspaper has heretofore been continuously published
in said Miami-Dade County, Florida each day and has
been entered as second class mail matter at the post
office in Miami, in said Miami-Dade 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 has 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
newspapers(s).



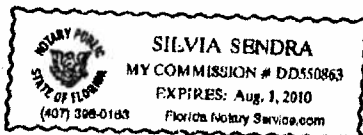
Sworn to and subscribed before me this
30th day of September 2009

My Commission

Expires August 1, 2010

Silvia Sendra


Notary



CHARLEY TOPPING & SONS, INC. is soliciting bids from certified MBE, DBE, WBE & SDVOSB subcontractors for this project in Monroe County, Key West, FL: **SIDEWALK ENHANCEMENTS Phases I through VI**. These projects propose the design and construction of sidewalk improvements with curb, curb cuts, crosswalks, and signage and pavement replacement and pavement markings. This work shall include engineering, design-survey-field engineering services, and FDOT administrative grant requirements. Please call Tony Armstrong or Paul Topping at (305) 298-8806 for additional information. All bids are due into us 4 days before bid date. Phase I, Bids 10-7-2009, Phase II, Bids 10-7-2009, Phase IV, Bids 10-8-2009, Phase V, Bids 10-12-2009, Phase VI, Bids 10-12-2009. Plans are available on DEMAND STAR www.demandstar.com under City of Key West, Sidewalk Enhancements Phase I, II etc.

CHARLEY TOPPINO & SONS, INC. is soliciting bids from certified MBE, DBE, WBE & SDVOSB, subcontractors for this project in Monroe County, Key West, FL

SIDEWALK ENHANCEMENTS Phases I through VI

These projects propose the design and construction of sidewalk improvements with curb, curb cuts, crosswalks, and signage and pavement replacement and pavement markings. This work shall include engineering design, survey, field engineering services, and FDOT administrative grant requirements.

Please call Ron Armstrong or Paul Toppino at: (305) 296-5606 for additional information. All bids are due into us 4 days before bid date.

Phase I, Bids 10-7-2009, Phase II, Bids 10-7-2009

Phase III, Bids 10-7-2009, Phase IV, Bids 10-8-2009, Phase V, Bids 10-13-2009 - Phase VI, Bids 10-15-2009. Plans are available on DEMAND STAR, www.demandstar.com under City of Key West, Sidewalk Enhancements Phase I, II etc.

#7398

9/24, 9/30/09

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

State of Florida)
County of Hillsborough) SS

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Analyst of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida: that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

was published in said newspaper in the issues of

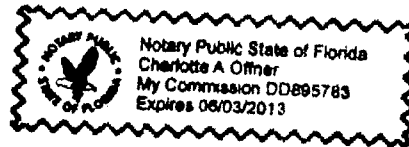
09/24, 09/30/2009

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said 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 second class mail matter at the post office in Tampa, 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 she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 1 day
of Oct, A.D. 2009

Personally Known or Produced Identification
Type of Identification Produced _____

Charlotte A. Offner



STATUS OF CONTRACTS ON HAND

Give full information about all of your contracts, whether prime or subcontracts, whether in progress or awarded but not yet begun, and regardless of to whom and with whom contracted.

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|-----------------------|--|--------------------------------|-------------------------|----------------------------|--|------------------|
| CLASS OF WORK | DOT PROJECTS AND LOCATION OF WORK YOU ARE PERFORMING | CONTRACT OR SUBCONTRACT AMOUNT | AMOUNT SUBLET TO OTHERS | BALANCE OF CONTRACT AMOUNT | UNCOMPLETED AMOUNT TO BE DONE BY APPLICANT AS PRIME CONTRACTOR | AS SUBCONTRACTOR |
| GRADING | BIG COPPITT ROADWAY IMPROVEMENTS | \$ 2,157,044.80 | \$ 0.00 | \$ 2,157,044.80 | \$ | \$ 80,000.00 |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | | | | | | |
| SEWER | | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| | | | | \$ 2,157,044.80 | | |
| CLASS OF WORK | OTHER (NON-DOT) PROJECTS, OWNERS AND LOCATION OF WORK YOU ARE PERFORMING | CONTRACT OR SUBCONTRACT AMOUNT | AMOUNT SUBLET TO OTHERS | BALANCE OF CONTRACT AMOUNT | | |
| UNDERGROUND UTILITIES | FLORIDA KEYS AQUADUCT AUTHORITY | \$ 9,917,671.34 | \$ 4,000,000.00 | \$ 5,917,671.34 | \$ 20,000.00 | |
| SEWER | BIG COPPITT WASTEWATER SYSTEM | | | | | |
| ASPHALT | KEY WEST, FL | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | CITY OF MARATHON AREA 6 STORM WATER | \$ 593,043.75 | \$ 80,000.00 | \$ 483,043.75 | | \$ 120,000.00 |
| UNDERGROUND UTILITIES | CITY OF KEY WEST FLAGLER AVE PH I & II | \$ 1,421,000.00 | \$ 235,000.00 | \$ 1,186,000.00 | \$ 1,278,000.00 | |
| SEWER | | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | TOLL GATE ROAD STORM DRAINAGE | \$ 160,000.00 | \$ 125,000.00 | \$ 35,000.00 | \$ 1,000,000.00 | |
| SEWER | BLAMARADA, VILLAGE OF ISLANDS | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | HTM STEAMPLANT CONDOS, KEY WEST, FL | \$ 45,000.00 | \$ 0.00 | \$ 45,000.00 | \$ 10,000.00 | |
| SEWER | | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | BALFOUR BEATTY MEDICAL CTR | \$ 142,000.00 | \$ 30,000.00 | \$ 112,000.00 | \$ | \$ 10,000.00 |
| SEWER | NAVAL AIR STATION, KEY WEST, FL | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | MELCO, SITEWORK BLDG 950 A | \$ 487,000.00 | \$ 115,000.00 | \$ 322,000.00 | \$ | \$ 60,000.00 |
| SEWER | BOCA CHICA NAVAL AIR STATION, KEY WEST | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | CONCRETE PLACEMENT, CITY OF KEY WEST | \$ 2,481,816.00 | \$ 100,000.00 | \$ 2,481,816.00 | \$ 1,660,000.00 | |
| SEWER | | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | LIT. B PALM ISLAND ASSOCIATES, LTD | \$ 100,000.00 | \$ 0.00 | \$ 100,000.00 | \$ 80,000.00 | |
| SEWER | INJECTION WELLS FOR SANITARY SEWER | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
| DRAINAGE | | | | | | |
| UNDERGROUND UTILITIES | FLORIDA KEYS AQUADUCT AUTHORITY | \$ 308,870.00 | \$ 100,000.00 | \$ 208,870.00 | \$ 308,870.00 | |
| SEWER | WATERMAIN FLAGLER AVE, KEY WEST, FL | | | | | |
| ASPHALT | | | | | | |
| CONCRETE | | | | | | |
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| UNDERGROUND UTILITIES | | | | | | |
| SEWER | | | | | | |
| ASPHALT | | | | | | |

CITY OF KEY WEST, FLORIDA

Business Tax Receipt

This Document is a business tax receipt
Holder must meet all City zoning and use provisions.
P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Business Name CHARLEY TOPPINO & S (FRANK RG) CTLNbr:0005344
Location Addr MM 8 1/2 ROCKLAND KEY
Lic NBR/Class 10-0005340 CONTRACTOR - REG GENERAL
Issue Date: August 12, 2009 Expiration Date: September 30, 2010
License Fee \$309.75
Add. Charges \$0.00
Penalty \$0.00
Total \$309.75

Comments:

This document must be permanently displayed.

CHARLEY TOPPINO & S (FRANK RG)
POB 787
KEY WEST FL 33041
FRANK P. TOPPINO
Date: 8/12/09 54
Type: OC Drawer: 1
Receipt no: 101254
3340
OR LIC OCCUPATIONAL 1 \$309.75
Trans number: 2376119
CK CHECK 47676 \$309.75
Trans date: 8/12/09 Time: 9:58:17

CITY OF KEY WEST, FLORIDA

Business Tax Receipt

This Document is a business tax receipt
Holder must meet all City zoning and use provisions.
P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Business Name CHARLEY TOPPINO & S (FRANK ENG CtlNbr:0010428
Location Addr MM 8 1/2 ROCKLAND KEY
Lic Nbr/Class 10-00017556 CONTRACTOR - REG ENGINEERING I
Issue Date: August 10, 2009 Expiration Date: September 30, 2010
License Fee \$309.75
Add. Charges \$0.00
Penalty \$0.00
Total \$309.75

This document must be prominently displayed.

CHARLEY TOPPINO & S (FRANK ENG
FRANK TOPPINO
P.O. BOX 787
KEY WEST FL 33041

CHARLEY TOPPINO & SONS, INC.
User: NEWBLD Type: CC Drawer: 1
Date: 8/18/09 54 Receipt nos: 99867
2010 17556
OR LIC OCCUPATIONAL 1 \$309.75
Trans number: 2374376
CA CHECK 47679 \$309.75
Trans date: 8/18/09 Time: 10:27:11

CITY OF KEY WEST
CERTIFICATE OF COMPETENCY

121 THIS IS TO CERTIFY THAT
Frank Toppino
is duly registered as a
General Contractor
in conformity with the regulations of the City of Key West

Date Issued: 10/01/09 Exp. Date: 09/30/11
By: [Signature]
CHIEF BUILDING OFFICIAL

CITY OF KEY WEST
CERTIFICATE OF COMPETENCY

3064 THIS IS TO CERTIFY THAT
Frank Toppino
is duly registered as a
Engineering Contractor
in conformity with the regulations of the City of Key West

Date Issued: 10/01/09 Exp. Date: 09/30/11
By: [Signature]
CHIEF BUILDING OFFICIAL

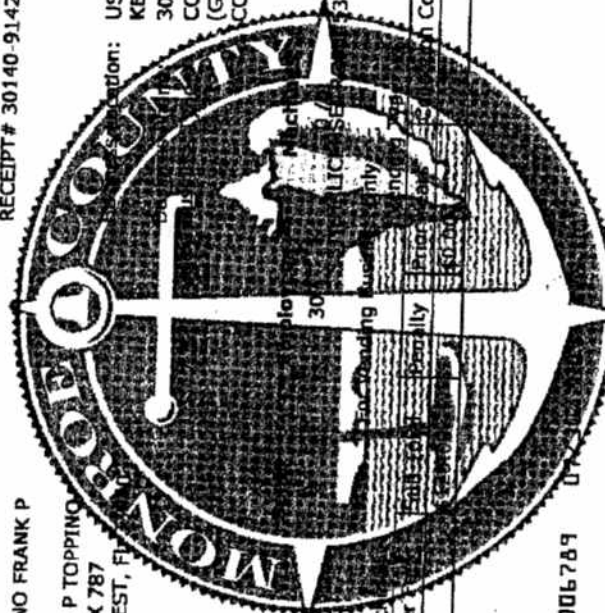
**2009 / 2010
MONROE COUNTY BUSINESS TAX RECEIPT
EXPIRES SEPTEMBER 30, 2010**

RECEIPT# 30140-9142

Business Name: TOPPING FRANK P

Owner Name: FRANK P TOPPING
Mailing Address: PO BOX 787
KEY WEST, FL 33040

Location: US HWY :
KEY WEST, FL 33040
305-296-5606
CONTRACTORS
(GENERAL/ENGINEERING
CONTRACTOR)



Rooms
0

Stalls

369/GC152A/ENG1132A

Number of Machines

Transfer

Tax Amount
\$125.00

Penalty

Interest

Cost

Total Paid

\$125.00

PAID-105-08-00006789

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

THIS BECOMES A TAX RECEIPT
WHEN VALIDATED

Danise D. Henriquez, CFC, Tax Collector
PO Box 1129, Key West, FL 33041

THIS IS ONLY A TAX. YOU MUST
MEET ALL COUNTY AND/OR
MUNICIPALITY PLANNING AND
ZONING REQUIREMENTS.

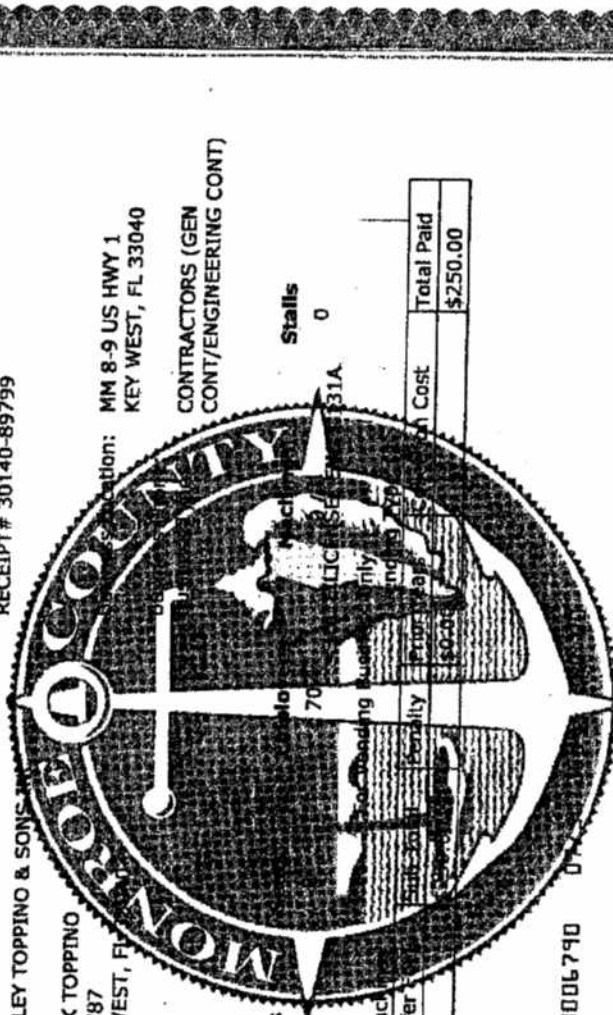
MONROE COUNTY BUSINESS TAX RECEIPT

**2009 / 2010
MONROE COUNTY BUSINESS TAX RECEIPT
EXPIRES SEPTEMBER 30, 2010**

RECEIPT # 30140-89799

Business Name: CHARLEY TOPPINO & SONS
 Owner Name: FRANK TOPPINO
 Mailing Address: BOX 787
 KEY WEST, FL 33040
 Location: MM 8-9 US HWY 1
 KEY WEST, FL 33040

CONTRACTORS (GEN
 CONT/ENGINEERING CONT)



Rooms 0
 Stalls 0

| | |
|----------------|----------|
| Number of Mach | |
| Transfer | |
| Tax Amount | \$250.00 |
| Penalty | \$0.00 |
| Cost | |
| Total Paid | \$250.00 |

PAID-105-08-00006790

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

THIS BECOMES A TAX RECEIPT
 WHEN VALIDATED

Danise D. Henriquez, CFC, Tax Collector
 PO Box 1129, Key West, FL 33041

THIS IS ONLY A TAX. YOU MUST
 MEET ALL COUNTY AND/OR
 MUNICIPALITY PLANNING AND
 ZONING REQUIREMENTS.

AC# 4482291

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L09072300719

| DATE | BATCH NUMBER | LICENSE NBR |
|------------|--------------|-------------|
| 07/23/2009 | 090047121 | QB64716 |

The BUSINESS ORGANIZATION
Named below IS QUALIFIED
Under the provisions of Chapter 489 FS
Expiration date: AUG 31, 2011
(THIS IS NOT A LICENSE TO PERFORM WORK. THIS ALLOWS THE
COMPANY TO DO BUSINESS ONLY IF IT HAS A LICENSE)
CHARLEY TOPPING & SONS INC
PO BOX 787
KEY WEST FL 33040



CHARLIE CRIST
GOVERNOR

CHARLES W. DRAGO
SECRETARY

DISPLAY AS REQUIRED BY LAW

AC# 4482179

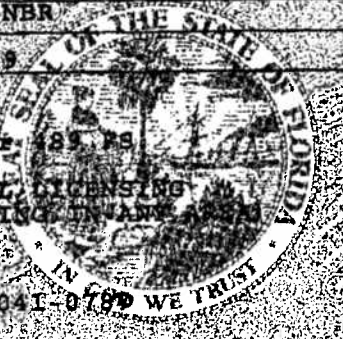
STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L09072300607

| DATE | BATCH NUMBER | LICENSE NBR |
|------------|--------------|-------------|
| 07/23/2009 | 090047095 | RGDR45369 |

The GENERAL CONTRACTOR
Named below HAS REGISTERED
Under the provisions of Chapter 489 FS
Expiration date: AUG 31, 2011
(INDIVIDUAL MUST MEET ALL LOCAL LICENSING
REQUIREMENTS PRIOR TO CONTRACTING IN STATE)
TOPPING, FRANK P
CHARLEY TOPPING & SONS INC
POST OFFICE BOX 787
KEY WEST FL 33040



CHARLIE CRIST
GOVERNOR

CHARLES W. DRAGO
SECRETARY

DISPLAY AS REQUIRED BY LAW

State of Florida

Board of Professional Engineers

Hole Montes Inc

is authorized under the provisions of Section 471.05, Florida Statutes, to offer engineering services to the public through a Professional Engineer, as licensed under Chapter 471, Florida Statutes.

Expiration: 28-Feb-11

Certificate of Authorization

CA No:

Audit No: 22820112103

DISPLAY AS REQUIRED BY LAW

1772

AC# 4177337

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD OF PROF SURVEYORS & MAPPERS

SEQ# L08120901015

| DATE | BATCH NUMBER | LICENSE NBR |
|------------|--------------|-------------|
| 12/09/2008 | 080275232 | LB1772 |

The SURVEYING & MAPPING BUSINESS
Named below IS CERTIFIED
Under the provisions of Chapter 472 FS.
Expiration date: FEB 28, 2011

HOLE MONTES INC
950 ENCORE WAY
NAPLES

FL 34110

CHARLIE CRIST
GOVERNOR

DISPLAY AS REQUIRED BY LAW

CHARLES W. DRAGO
SECRETARY

State of Florida

Department of State

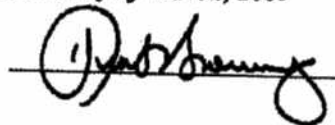
I certify from the records of this office that HOLE MONTES, INC. is a corporation organized under the laws of the State of Florida, filed on April 3, 1974.

The document number of this corporation is 449782.

I further certify that said corporation has paid all fees due this office through December 31, 2009, that its most recent annual report was filed on March 18, 2009, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the Great Seal of
Florida, at Tallahassee, the Capital, this the
Eighteenth day of March, 2009*



Secretary of State



Authentication ID: 200146150232-031809-449782

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.
<https://efile.sunbiz.org/certauthver.html>

State of Florida

Board of Professional Engineers

George Harvey Hermanson, P.E.

is licensed as a Professional Engineer under Chapter 471, Florida Statutes

Expiration: 28-FEB-11

P. E. Lic. No

Audit No: 228201115540

DISPLAY AS REQUIRED BY LAW

26706

State of Florida

Board of Professional Engineers

Robert Lee Muffey, P.E.

is licensed as a Professional Engineer under Chapter 471, Florida Statutes

Expiration: 28-FEB-11

P. E. Lic. No.

Audit No: 228201116738

DISPLAY AS REQUIRED BY LAW

34974

State of Florida

Board of Professional Engineers

Walter A. Sligh, P.E.

is licensed as a Professional Engineer under Chapter 471, Florida Statutes

Expiration: 28-FEB-11

P. E. Lic. No.

Audit No: 228201116041

DISPLAY AS REQUIRED BY LAW

43334

AD# 4279762

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

BRCP289022804973

| DATE | ISSUE | EXPIRES | CLASSIFICATION |
|------------|-----------|------------|----------------|
| 02/28/2008 | 000339008 | 02/28/2011 | REGISTERED |

The SURVEYOR AND MAPPER
Named below is LICENSED
Under the provisions of Chapter 473 FS.
Expiration date: FEB 28, 2011

MUFFEY, ROBERT L.
1015 HUNTERS WAY
DAVIE, FL 33317

FL 36110

CHARLIE CRIST
GOVERNOR

DISPLAY AS REQUIRED BY LAW

CHARLES F. DRAGO
SECRETARY

State of Florida

Board of Professional Engineers

Francis Joseph Gandy, P.E.

is licensed as a Professional Engineer under Chapter 471, Florida Statutes

Expiration: 28-FEB-11

P. E. Lic. No.

Audit No: 228201112231

DISPLAY AS REQUIRED BY LAW

34899

State of Florida

Board of Professional Engineers

Nicole G. Hinton, P.E.

is licensed as a Professional Engineer under Chapter 471, Florida Statutes

Expiration: 28-FEB-11

P. E. Lic. No.

Audit No: 22820112223

DISPLAY AS REQUIRED BY LAW

35788

State of Florida

Board of Professional Engineers



Richard J. [Name] P.E.

Is licensed as a Professional Engineer under Chapter 471, Florida Statutes
Expiration: 28-FEB-11

Audit No.: 28201108364

P.E. Lic. No. 58375

DISNEY AS REQUIRED BY LAW

ADDENDUM NO. 2

For: SIDEWALK ENHANCEMENTS
Phase IV
FM #426517-1
FM #426518-1

To All Bidders:

The following change is hereby made part of SIDEWALK ENHANCEMENTS PHASE IV, as fully as completely as if the same were set forth therein:

1. Remove the section titled "Sidewalk Enhancement Proposal Phase IV" in its entirety and replace with the attached. The attached section will clarify the lump sum amounts to include in the **extended lump sum total** for each alternate, specifically the Performance and Payment Bonds amount and the Contingency Allowance amount.

Attached: Sidewalk Enhancement Proposal Phase IV

2. The Virginia Street project location **Alternate A** limit is Virginia Street from **Windsor Lane to Jose Marti Drive**.

Direct any request for Information to Carolyn Sheldon: csheldon@keywestcity.com

All Bidders shall acknowledge receipt and acceptance of this Addendum No.2 by acknowledging Addendum in their proposal or by submitting the addendum with the bid package. Bids submitted without the acknowledgement or without this Addendum may be considered non-responsive.

RJARM

CHARLEY TOPPINO & SONS, INC

Signature

Name of Business

Sidewalk Enhancement Proposal Phase IV

To: The City of Key West
Address: 525 Angela Street, P.O. Box 1409
Key West, Florida 33041
Project Title: Sidewalk Enhancements Phase IV
Project No.: RFP – 09-012

Design / Build Firm's (bidder) person to contact for additional information on this Proposal:

Name: _____

Telephone: _____

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this Proposal are those named herein, that this Proposal is, in all respects, fair and without fraud, that it is made without collusion with any official of the Owner, and that the Proposal is made without any connection or collusion with any person submitting another Proposal on this Contract.

The Bidder further declares that he has carefully examined the Contract Documents, that he has personally inspected the Project, that he has satisfied himself as to the quantities involved, including materials and equipment, and conditions of work involved, including the fact that the description of the quantities of work and materials, as included herein, is brief and is intended only to indicate the general nature of the work and to identify the said quantities with the detailed requirements of the Contract Documents, and that this Proposal is made according to the provisions and under the terms of the Contract Documents, which Documents are hereby made a part of this Proposal.

The Bidder further agrees that he has exercised his own judgment regarding the interpretation of subsurface information and has utilized all data which he believes pertinent from the Engineer, Owner, and other sources in arriving at his conclusions.

The Bidder further agrees, as evidenced by signing the Proposal, which if awarded a Contract, the Florida Trench Safety Act and applicable trench safety standards will be complied with.

The Bidder understands and agrees that if a Contract is awarded, the Owner may elect to award all schedules under one Contract, separately, or in any combination that best serves the interests of the Owner.

Sidewalk Enhancement Proposal Phase IV

CONTRACT EXECUTION AND BONDS

The Bidder agrees that if this Proposal is accepted, he will, within 10 days, not including Sundays and legal holidays, after Notice of Award, sign the Contract in the form annexed hereto, and will at that time, deliver to the Owner examples of the Performance Bond and Payment Bond required herein, and evidence of holding required licenses and certificates, and will, to the extent of his Proposal, furnish all machinery, tools, apparatus, and other means of construction and do the work and furnish all the materials necessary to complete all work as specified or indicated in the Contract Documents.

CERTIFICATES OF INSURANCE

Bidder agrees to furnish the Owner, before commencing the work under this Contract, the certificates of insurance as specified in these Documents.

START OF CONSTRUCTION AND CONTRACT COMPLETION TIME

The Bidder further agrees to begin work within 14 calendar days of the Notice to Proceed (NTP) and to complete the construction in all respects within 350 calendar days from the date of the NTP.

LIQUIDATED DAMAGES

In the event the Bidder is awarded the Contract and fails to complete the work within the time limit or extended time limit agreed upon, as more particularly set forth in the Contract Documents, liquidated damages shall be paid to the Owner based on the FDOT Standard Specifications (2007) Section 8-10 until the work has been satisfactorily completed as provided by the Contract Documents. Sundays and legal holidays shall be included in determining days in default. FDOT 8-10 Code requirements govern, and herewith made a part of the Contract.

| Original Contract Amount | Daily Charge Per Calendar Day |
|--|--------------------------------------|
| \$50,000 and Under | \$313 |
| Over \$50,000 but less than \$250,000 | \$580 |
| \$250,000 but less than \$500,000 | \$715 |
| \$500,000 but less than \$2,500,000 | \$1,423 |
| \$2,500,000 but less than \$5,000,000 | \$2,121 |
| \$5,000,000 but less than \$10,000,000 | \$3,057 |

ADDENDA

The Bidder hereby acknowledges that he has received Addenda No's. _____, _____, _____, _____ (Bidder shall insert No. of each Addendum received) and agrees that all addenda issued are hereby made part of the Contract Documents, and the Bidder further agrees that his Proposal(s) includes all impacts resulting from said addenda.

Sidewalk Enhancement Proposal Phase IV

SALES AND USE TAXES

The Bidder agrees that all federal, state, and local sales and use taxes are included in the stated bid prices for the work.

Sidewalk Enhancement Proposal Phase IV

BID SCHEDULE

The Bidder further Proposes to accept as full payment for the work Proposed herein the amounts computed under the Provisions of the Contract Documents and based on the following Lump Sum amounts, it being expressly understood that the Lump Sum amounts are independent of the exact quantities involved. The Bidder agrees that the lump sum prices represent a true measure of the labor and materials required to perform the work, including all allowances for overhead and Profit for each type and unit of work called for in these Contract Documents. The amounts shall be shown in both words and figures. In case of a discrepancy, the amount shown in words shall govern. . Lump SUM price line items may be deleted, reduced or increased as required by the Owner.

| <u>Item</u> | <u>LS (Words)</u> | <u>LS (Fig)</u> |
|-------------|-------------------|-----------------|
|-------------|-------------------|-----------------|

Design/Build

1 Virginia St. sidewalks (Windsor Lane to Jose Marti Dr.)

| | | |
|-------------|---|------------|
| Alternate A | TWO HUNDRED AND NINETY SIX THOUSAND DOLLARS AND ZERO CENTS | 296,000.00 |
| LS | \$ _____ | \$ _____ |

| | | |
|---|---|----------|
| Alternate A - Performance and Payment Bonds | FOUR THOUSAND, TWO HUNDRED DOLLARS AND ZERO CENTS | 4,200.00 |
| LS | \$ _____ | \$ _____ |

| | | |
|-------------|---|------------|
| Alternate B | ONE HUNDRED AND FIFTY FOUR THOUSAND, FIVE HUNDRED DOLLARS AND ZERO CENTS | 154,500.00 |
| LS | \$ _____ | \$ _____ |

| | | |
|---|--|----------|
| Alternate B - Performance and Payment Bonds | TWO THOUSAND, TWO HUNDRED DOLLARS AND ZERO CENTS | 2,200.00 |
| LS | \$ _____ | \$ _____ |

1A Contingency Allowance – Virginia Street (include in extended lump sum total for each alternate)

| | | |
|----|---|--------------------|
| LS | <u>\$Eight Thousand Eight Hundred Fifty Dollars/ no cents</u> | <u>\$ 8,850.00</u> |
|----|---|--------------------|

2 Applerouth Lane sidewalks (South side) (Whitehead St. to Duval St.)

| | | |
|-------------|---|-----------|
| Alternate A | TWENTY NINE THOUSAND, NINE HUNDRED AND THIRTY DOLLARS AND ZERO CENTS | 29,930.00 |
| LS | \$ _____ | \$ _____ |

Sidewalk Enhancement Proposal Phase IV

Alternate A - Performance and Payment Bonds

FOUR HUNDRED AND FIFTY DOLLARS AND ZERO CENTS 450.00
LS \$ _____ \$

Alternate B TWENTY FOUR THOUSAND, ONE HUNDRED AND SEVENTY DOLLARS ZERO CENTS

LS \$ _____ \$ 24,170.00

Alternate B - Performance and Payment Bonds

THREE HUNDRED AND FORTY DOLLARS AND ZERO CENTS 340.00
LS \$ _____ \$

2A Contingency Allowance – Applerouth Lane (include in extended lump sum total for each alternate)

LS \$ One Thousand One Hundred Fifty Dollars/ no cents \$ 1,150.00

Alternate A – Virginia Street

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) THREE HUNDRED AND NINE THOUSAND, FIVE HUNDRED AND SIXTY DOLLARS
AND ZERO CENTS

\$ _____

(Numbers)

\$ 309,560.00

Alternate B – Virginia Street

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) ONE HUNDRED AND SIXTY FIVE THOUSAND, FIVE HUNDRED AND FIFTY DOLLARS
AND ZERO CENTS

\$ _____

(Numbers)

\$ 165,550.00

Sidewalk Enhancement Proposal Phase IV

Alternate A – Applerouth Lane

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) THIRTY ONE THOUSAND, FIVE HUNDRED AND THIRTY DOLLARS AND ZERO CENTS

\$ _____

(Numbers)

31,530.00

\$ _____

Alternate B – Applerouth Lane

TOTAL OF ALL EXTENDED LUMP SUM PRICE ITEMS LISTED ABOVE including Performance and Payment Bonds, Allowance Items

(Words) TWENTY FIVE THOUSAND, SIX HUNDRED AND SIXTY DOLLARS AND ZERO CENTS

\$ _____

(Numbers)

25,660.00

\$ _____

Number of days to complete project (all locations):

Words: THREE HUNDRED AND SIXTY DAYS

Numbers: 360

For this Contract, the City has established alternate scopes of work, shown as the list of bid items under each of the Scope Alternates listed in the Request for Proposal. These alternates have been established in consideration of budget constraints. The City has assigned Contract award priority for the Scope Alternates as follows:

First Priority Alternate A
Second Priority Alternate B

The City intends to award the Contract to the responsible bidder with the lowest bid for the highest priority Scope Alternate for which the City determines funds are available. For the purpose of bidding, the City has established a maximum budget as follows:

Sidewalk Enhancement Proposal Phase IV

| | |
|---------------------------|---------------------|
| Virginia Street Sidewalks | <u>\$204,000.00</u> |
| Applerouth Lane | <u>\$ 26,520.00</u> |

This amount is not the City's official cost estimate for the work but is the budgetary constraint established for this contract. Submission of a bid under the maximum budget is not a guarantee of contract award and cannot be interpreted as an appropriate or awardable bid amount.

Submit bid lump sum prices for all bid items. Bids submitted without bid lump sum prices for all bid items will be rejected as irregular.

Sidewalk Enhancement Proposal Phase IV

List items to be performed by Contractor's own forces and the estimated total cost of these items.

(Use additional sheets if necessary.)

| | |
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Sidewalk Enhancement Proposal Phase IV

SUBCONTRACTORS

The Bidder further proposes that the following subcontracting firms or businesses will be awarded subcontracts for the following portions of the work in the event that the Bidder is awarded the Contract:

Portion of Work

Name

_____, _____, _____, _____
Street City State Zip

Portion of Work

Name

_____, _____, _____, _____
Street City State Zip

Portion of Work

Name

_____, _____, _____, _____
Street City State Zip

Portion of Work

Name

_____, _____, _____, _____
Street City State Zip

Sidewalk Enhancement Proposal Phase IV

SURETY

_____ whose address is

_____, _____, _____, _____
Street City State Zip

BIDDER

The name of the Bidder submitting this Proposal is

_____ doing business at

_____, _____, _____, _____
Street City State Zip

which is the address to which all communications concerned with this Proposal and with the Contract shall be sent.

The names of the principal officers of the corporation submitting this Proposal, or of the partnership, or of all persons interested in this Proposal as principals are as follows:

| Name | Title |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Sidewalk Enhancement Proposal Phase IV

If Sole Proprietor or Partnership

IN WITNESS hereto the undersigned has set his (its) hand this _____ day of 2009.

Signature of Bidder

Title

If Corporation

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this _____ day of 2009.

(SEAL)

Name of Corporation

By _____

Title _____

Attest _____

Secretary

EXPERIENCE OF BIDDER

Sidewalk Enhancement Proposal Phase IV

The Bidder states that he is an experienced Contractor and has completed similar projects within the last 5 years.

(List similar projects, with types, names of owners, construction costs, Engineers, and references with phone numbers. Use additional sheets if necessary.)

ADDENDUM NO. 1

For: SIDEWALK ENHANCEMENTS
Phase IV
FM #426517-1
FM #426518-1

To All Bidders:

The following change is hereby made part of SIDEWALK ENHANCEMENTS PHASE IV, as fully as completely as if the same were set forth therein:

The mandatory pre-bid meeting for the above reference project was held in the City of Key West at the City Hall on September 22, 2009. The Agenda for the meeting is provided as an attachment, as is the meeting minutes.

Attached: Mandatory Pre-bid Agenda w/ general Minutes and Notes
Mandatory Pre-bid Sign in sheet
Grant Requirements presentation

Direct any request for Information to Carolyn Sheldon: csheldon@keywestcity.com

All Bidders shall acknowledge receipt and acceptance of this Addendum No.1 by acknowledging Addendum in their proposal or by submitting the addendum with the bid package. Bids submitted without the acknowledgement or without this Addendum may be considered non-responsive.

RJARM

CHARLEY TOPPINO & SONS, INC.

Signature

Name of Business

**CITY OF KEY WEST
SIDEWALK ENHANCEMENTS PHASE IV
MANDATORY PRE-BID MEETING AGENDA
SEPTEMBER 22, 2009
11:00 AM**

- I. Introduction
 - 1. Assistant City Manager – City of Key West David Fernandez
 - 2. General Services and Engineering Director – City of Key West, Gary Bowman
 - 3. Special Projects Designer – City of Key West, Karen Olson
 - 4. Grants Administrator – City of Key West, Carolyn Sheldon

- II. Brief Project Description
 - a. This project proposes the construction of sidewalk enhancement work (ADA compliant sidewalks and curb ramps):
 - 1. Virginia Street (sidewalks)
 - 2. Applerouth Lane (sidewalks)
 - b. This work shall include FDOT administrative grant requirements Attachments A-R.
 - c. Contract duration not to exceed 350 calendar days. Project shall be complete prior to September 1, 2011.

- III. Site verification

- IV. Testing requirements
 - 1. Contractor – quality control testing
 - 2. CEI firm – verification testing

- V. Permits
 - 1. Design / Build Firm secures permits as necessary (not acquired by Owner) for proper execution and completion of the work, includes:
 - 2. Right of way
 - 3. MOT/Plans/Road Closures

- VI. Submittals
 - a. Four copies and or PDF's by e-mail
 - b. Submittal log required and updated at each submittal

- VII. Low Bid Design / Build
 - a. Lump sum
 - b. Technical Proposal Requirements

- VIII. Grant information
 - 1. Stimulus project
 - 2. DBE / EEO
 - 3. Davis-Bacon and related acts
 - 4. Other grant provisions

- IX. Pay Application
 - a. Monthly
 - b. The Contractor shall submit with the monthly pay application the “Construction Compliance Certificate with Specifications and Plans”
 - c. Contractor to report payments to sub-contractors (including suppliers-vendors) on each pay application starting with the second pay application.

**CITY OF KEY WEST
SIDEWALK ENHANCEMENTS PHASE IV
MANDATORY PRE-BID MEETING AGENDA
SEPTEMBER 22, 2009
11:00 AM**

X. Questions

Plant requires certification? YES, SEE SECTION 344 CONCRETE FOR LOCAL AGENCIES 344-3.1 Concrete Production Requirements: Use concrete production facilities certified by the National Ready-Mixed Concrete Association (NRMCA), approved by the FDOT.

Both contractor and designer on Design / Build Team need to be FDOT prequalified? NO, IF THE CONTRACT AMOUNT IS \$250,000 OR LESS THE CONTRACTOR DOES NOT HAVE TO BE FDOT PREQUALIFIED. The Contractor must be FDOT prequalified for contracts over \$250,000. The Contractor does not need to be FDOT prequalified for contracts \$250,000 or less.

The designer must be FDOT qualified in accordance with Florida Administrative Code (F.A.C.) Chapter 14-75.

*A sample quality management plan can be found at the FDOT website:
http://www.dot.state.fl.us/projectmanagementoffice/Districts/D5/files/Quality_Management_Plan.pdf*

Please be advised that the plan found above at the FDOT website is 97 pages long. The requirement for the quality management plan in the technical proposal is a maximum of 2 pages.

Notes:

- Bidders shall meet the following requirements for the grant; All prime contractor contracts with subcontractor(s) must be in writing and must physically contain form FHWA 1273 and minimum wage rates; just referring to them is not acceptable. Additionally all subcontracts \$10,000 and over are required to comply with Title VI programs, and must contain the statement:

“The sub recipient or contractor, in accordance with Title VI of the civil Right Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-7 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non discrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, disability in consideration for an award”.

CITY OF KEY WEST
 SIDEWALK ENHANCEMENTS PHASE IV
 MANDATORY PRE-BID MEETING SIGN-IN SHEET
 SEPTEMBER 22, 2009

11:00 AM

| | NAME | COMPANY | PHONE NO. | E-MAIL |
|----|-------------------|----------------------------|------------------|---------------------------|
| 1 | Carolyn Sheldon | City of Key West | 305-809-3741 | csheldon@keywestcity.com |
| 2 | Karen Olson | CKW | 305-809-3963 | Kolson@keywestcity.com |
| 3 | Ray Martinez | Charley Toppino and sons | 305 797 1003 | ray@charleytoppinoandsons |
| 4 | Dave Kieckhefer | BAT CONSTRUCTION | 305-296-6619 | dave@batconst.com |
| 5 | TRAVIS MIDDLETON | SEATECH | 305 747-2573 | rvlco@bellsouth.net |
| 6 | Michael Grizzle | Semper Fi Services | 941 845-0128 | mgrizzle@yahoo.com |
| 7 | Rick Milelli | HTA | 401-0400 | |
| 8 | Cassandra Toppino | TOPPINO'S | 305 296 6606 | CToppino@GMAIL.COM |
| 9 | Vicki MARINO | Kenmar General Contracting | DBE 305 797 5344 | VICKI.MARINO@ATT.NET |
| 10 | PAUL TOPPINO | CFIS | 296 5606 | |
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City of Key West

Pre-Bid Grant Information FDOT LAP Projects

Presented by:
Carolyn Sheldon
City of Key West, Grants Administrator

Economic Stimulus Project

- o This project is an economic stimulus project funded through the American Recovery and Reinvestment Act of 2009 (ARRA).
- o The grant is being administered as a Local Agency Program (LAP) grant.
- o Adhere to FDOT LAP requirements

- | Grant compliance sources

- FDOT LAP Manual
(525-010-300-d)
- FHWA 1273
- ARRA (American Recovery and Reinvestment Act of 2009)

ARRA Monthly Reporting

- For prime contractor and subcontractors working on ARRA projects (FDOT Form 700-011-20) – see sample form:
 1. Total # of employees active on job
 2. Total # of hours worked
 3. Total project payroll

- Primes & subs will need a Dun & Bradstreet number – DUNS #
 1. <http://www.dnb.com>
 2. minimum of 30 business days to process
 3. No charge for D&B DUNS #

DBE / EEO

- **Bid Opportunity List (FDOT Form 275-030-10)**
Submit with Bid package or directly to FDOT Equal Opportunity Office within 3 days of bid opening (see sample form)
- **8.1% DBE goal**
Statewide and voluntary; voluntary due to State's ability to consistently meet goal; will remain voluntary as long as contractors use certified DBEs obtained through the normal competitive procurement process
- **Reach out to DBEs**
 1. Use FDOTs BizNet system to search for DBE firms:
<https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp>
 2. Must be a certified DBE to truly be a DBE; Florida has a uniform certification program (UCP) in which certification as a DBE can be obtained

STATE OF FLORIDA
CONSTRUCTION CONTRACTORS
BID OPPORTUNITY LIST

CONSTRUCTION CONTRACTORS
 BID OPPORTUNITY LIST

Please complete and mail or fax to:
 Equa Opportunity Office
 605 Suwannee St., MS 65
 Tallahassee, FL 32399-0450
 TELEPHONE: (850) 414-4747
 FAX: (850) 414-4679

This information may also be included in your bid or proposal package.

Prime Contractor/Consultant: _____
 Address/Telephone Number: _____
 Bid/Proposal Number: _____
 Quote Submitted MM/YYR: _____

46 CFR Part 25.11 requires the Florida Department of Transportation to develop and maintain a "bid opportunity list". The list is intended to be a listing of all firms that are participating, or attempting to participate, on DOT-assisted contracts. The list must include all firms that bid on prime contracts, or bid on those subcontracts and materials supplies on DOT-assisted projects, including both DBEs and non-DBEs. For consulting companies this list must include all subconsultants contacting you and expressing an interest in teaming with you on a specific DOT assisted project. Prime contractors and consultants must provide information for Nos 1, 2, 3, and 4 and should provide any information they have available on numbers 5, 6, 7, and 8 for themselves, and their subcontractors and subconsultants.

1. Federal Tax ID Number: _____
 2. Firm Name: _____
 3. Phone: _____
 4. Address: _____
 5. Year Firm Established: _____
 6. DBE Non-DBE
 7. Subcontractor Subconsultant
 8. Annual Gross Receipts
 Less than \$1 million
 Between \$1 - \$5 million
 Between \$6 - \$10 million
 Between \$10 - \$15 million
 More than \$15 million

1. Federal Tax ID Number: _____
 2. Firm Name: _____
 3. Phone: _____
 4. Address: _____
 5. Year Firm Established: _____
 6. DBE Non-DBE
 7. Subcontractor Subconsultant
 8. Annual Gross Receipts
 Less than \$1 million
 Between \$1 - \$5 million
 Between \$6 - \$10 million
 Between \$10 - \$15 million
 More than \$15 million

1. Federal Tax ID Number: _____
 2. Firm Name: _____
 3. Phone: _____
 4. Address: _____
 5. Year Firm Established: _____
 6. DBE Non-DBE
 7. Subcontractor Subconsultant
 8. Annual Gross Receipts
 Less than \$1 million
 Between \$1 - \$5 million
 Between \$6 - \$10 million
 Between \$10 - \$15 million
 More than \$15 million

DBE / EEO (contd.)

3. FDOT has made available the services of a DBE Supportive Services Provider to help with locating DBEs:
Blackmon Roberts Group
<http://www.blackmonroberts.com/>
 4. DBE must actually do the work; only work performed by certified DBE contractors will count towards the DBE goal
- o **Selected contractor for award of bid:**
 1. Anticipated DBE Participation Statement (FDOT Form 275-030-11A)
 - see sample form
 2. DBE/AA Plan approved by FDOT either included with your bid or received by FDOT prior to award of contract; approved plans are good for 3 years
 3. Report DBE Utilization monthly to FDOT

STATE OF FLORIDA
ANTICIPATED DBE PARTICIPATION STATEMENT
OFFICE OF EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

| | | | | |
|--|--------------------|--|-------------------|-------------------------------|
| 1. FINANCIAL PROJECT NO. | 2. FAP NO. | 3. CONTRACT NO. | 4. COUNTY(IES) | 5. DISTRICT |
| 6. PRIME CONTRACTOR NAME | | 7. FEED NUMBER | | |
| 8. CONTRACT DOLLAR AMOUNT | | 9. REVISION? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IF YES, REVISION NUMBER | | |
| 10. IS THE PRIME CONTRACTOR A FLORIDA CERTIFIED "DBE"? (DISADVANTAGED BUSINESS ENTERPRISE) | | 11. IS THE WORK OF THIS CONTRACT CONSTRUCTION <input type="checkbox"/> OR MAINTENANCE <input type="checkbox"/> ? | | |
| 12. ANTICIPATED DBE SUBCONTRACTS | | | | |
| DBE SUBCONTRACTOR or SUPPLIER | | TYPE OF WORK/SPECIALTY | | PERCENT OF CONTRACT DOLLARS |
| A | | | | |
| B | | | | |
| C | | | | |
| D | | | | |
| E | | | | |
| F | | | | |
| | | 13. TOTAL DOLLARS TO DBE'S | | 13. TOTAL DOLLARS TO CONTRACT |
| | | | | \$0.00 0.00% |
| 14. EMAIL ADDRESS OF SUBMITTER | | 15. FAX NUMBER | | 16. PHONE NUMBER |
| 17. SUBMITTED BY | | 18. DATE | | 19. TITLE OF SUBMITTER |
| NOTE: THIS INFORMATION IS USED TO TRACK AND REPORT ANTICIPATED DBE PARTICIPATION IN ALL STATE AND FEDERALLY FUNDED PROJECT CONTRACTS. THE ANTICIPATED DBE AMOUNT IS VOLUNTARY AND WILL NOT BECOME A PART OF THE CONTRACTUAL TERMS. THIS FORM MUST BE SUBMITTED AT THE PRE CONSTRUCTION OR PRE WORK CONFERENCE. FOOT STAFF FORWARDS THE FORM TO THE EQUAL OPPORTUNITY OFFICE. | | | | |
| THE FOLLOWING SECTIONS ARE FOR FOOT USE | | | | |
| 17. PROCESSED BY | 18. DATE TO OFFICE | 19. LETTERING DATE | 20. EXECUTED DATE | 21. PRECOR CONF. DATE |
| 22. SUBMITTED TO BY: <input type="checkbox"/> FAX <input type="checkbox"/> EMAIL | | | | |
| | | <input type="checkbox"/> SHARED FOLDER | | |
| 23. INCLUDED IN DBE PARTICIPATION REPORT (P. 1007) | | | | |
| DBE | | | | |
| OPC | | | | |

DBE / EEO (contd.)

- **Equal Employment Opportunity (EEO) – FHWA 1273**, the contractor will accept the following as his operating policy –
“It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, preapprenticeship, and/or on-the-job training.”
 - Certification of Compliance with EEO Provisions (FDOT Form 700-011-13) due monthly (see sample form)
 - July Report (FDOT Form 272-010-08) due annually (see sample form)
 - Other EEO reports due at the beginning of construction / every 6 months

**COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY (EEO)
PROVISIONS ON FEDERAL AID CONTRACTS**

FIN PROJECT I.D. _____ DATE _____
CONTRACT NO. _____

For the above referenced contract, hereby certifies that this company and all of its subcontractors have made every Good Faith Effort to comply with the EEO provisions of FHWA Form-1273 (Section II, Nondiscrimination and Section III, Nonsegregated facilities) on this contract.

Exception
The following subcontractor(s) have been found to be in noncompliance with the provisions stated above. Attached a notification sent to the respective subcontractor(s) explaining their noncompliance with these provisions.

Subcontractor Name _____ Subcontractor Name _____
Street Address _____ Street Address _____
City/State/Zip _____ City/State/Zip _____

State of Florida _____
County of _____
Sworn to and subscribed before me this _____ day _____
of _____ by _____ (Print name of person signing Certification)

Notary Public _____ Contractor _____
Commission Expires _____
Personally known: OR Produced Identification By _____
Type of Identification Produced _____ Title _____

INSTRUCTIONS

1. Attach copy of any notifications of noncompliance sent to each applicable subcontractor.
2. All subcontractors bound not in compliance at the time of this certification.
3. A separate certification is required for each contract.
4. To be signed by an officer or director of the Contractor with the authority to bind the Contractor and notarized.
5. To avoid delay in payment, certification must be submitted to the Project Engineer no later than the Friday before the monthly estimate cutoff date (generally the 3rd Sunday of the month).

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S ANNUAL JULY EEO REPORT
July Employment Data (Including Minority Recruitment on a Federal-Aid Highway Project)

1. NAME AND FLORIDA HOME OFFICE ADDRESS _____

2. FIRM OR INDUSTRY _____

3. FINANCIAL PROJECT NO. _____

4. CHECK ONE:
 PRIME CONTRACTOR
 SUB-CONTRACTOR

5. YEAR _____

6. CHECK ONE: DID YOU HAVE EMPLOYEES ON THIS PROJECT ONE OR MORE DAYS BETWEEN JULY 1 AND JULY 31?
 YES _____ NO (if NO proceed to Box No. 8)

7. PROJECT EMPLOYMENT DATA

| JOB CATEGORIES | TOTAL EMPLOYEES | | TOTAL MINORITIES | | BLACK (Not of Hispanic Origin) | | HISPANIC | | AMERICAN INDIAN or ALASKAN NATIVE | | ASIAN or PACIFIC ISLANDER | | WHITE (Not of Hispanic Origin) | |
|----------------------|-----------------|---|------------------|---|--------------------------------|---|----------|---|-----------------------------------|---|---------------------------|---|--------------------------------|---|
| | M | F | M | F | M | F | M | F | M | F | M | F | M | F |
| OFFICIALS (MANAGERS) | | | | | | | | | | | | | | |
| SUPERVISORS | | | | | | | | | | | | | | |
| FOREMEN WOMEN | | | | | | | | | | | | | | |
| SKILLED | | | | | | | | | | | | | | |
| EQUIPMENT OPERATORS | | | | | | | | | | | | | | |
| MECHANICS | | | | | | | | | | | | | | |
| TRUCK DRIVERS | | | | | | | | | | | | | | |
| IRONWORKERS | | | | | | | | | | | | | | |
| CARPENTERS | | | | | | | | | | | | | | |
| CEMENT MASONS | | | | | | | | | | | | | | |
| ELECTRICIANS | | | | | | | | | | | | | | |
| PAINTERS | | | | | | | | | | | | | | |
| LABORERS UNDESKILLED | | | | | | | | | | | | | | |
| LABORERS SKILLED | | | | | | | | | | | | | | |
| TOTALS | | | | | | | | | | | | | | |

On-The-Job Training (OJT)

| | |
|---|---|
| M | F |
| | |

8. IF ANY EMPLOYEES REPORTED IN TABLE A ARE APPRENTICES, STATE THE NAME OF THE PROGRAM, THE JOB CATEGORY, RACE AND SEX.

| | | | |
|--------------|---------------------------|----------------------------|---------------|
| 9. PREPARER | FIRST LAST NAME AND TITLE | DATA USER AND PHONE NUMBER | DATE PREPARED |
| 10. REVIEWER | FIRST LAST NAME AND TITLE | DATA USER AND PHONE NUMBER | DATE REVIEWED |

On-The-Job Training (OJT)

| | |
|---|---|
| M | F |
| | |

Davis-Bacon & Related Acts

- **Prevailing wages**
Paid according to wage determinations included in bid documents; and a minimum of time and a half for hours worked greater than 40 (overtime)
- **Certified Payrolls**
 1. Certified payrolls are required and shall be completed and turned in to the city grants administrator. Contractor shall ensure that certified payrolls are complete and checked for accuracy. Payroll not approved by the grant administrator and returned shall be returned in 3 days. The owner shall increase retention above 10% if contractor is consistently tardy or turns in incomplete or incorrect payrolls
 2. Certified payrolls must be submitted within 7 days after the contractor's regular payment date of the payroll period

Davis-Bacon & Related Acts (contd.)

3. FDOT Form 700-010-69 may be used or an alternate form may be used provided that all required information is included; please note that FDOT requires gender and ethnicity be included as well
4. Change to Davis-Bacon – prepare certified payrolls the same EXCEPT full social security numbers and home addresses should not be included; instead use an individually identifying number for each employee like the last 4 digits of his/her social security number
5. Employee interviews and wage audits will be conducted by the grants administrator at a minimum of 2 times monthly
 - o **Job site bulletin board**
 1. Required to be installed on or before workers first appear at the project; removed when workers are no longer at the project
 2. Located in a prominent and accessible site within the limits of the project
 3. Includes information on EEO, Discrimination, Wage Rates, FMLA, OSHA and other information on rights, protections and appeals

Other grant provisions

- Buy America
 - Use only steel and iron produced in the United States for products permanently incorporated into the project
- Access to records / work sites
 - Retain records pertinent to the project for five (5) years and give access to such records to those associated with the grant as well as access to the work site at any reasonable time
- Fraud
 - ARRA funds are to be used for authorized purposes and every measure will be taken to prevent instances of fraud, waste, error and abuse
- Suspension and debarment
 - The owner shall not award this contract to any party that is debarred or suspended or is otherwise excluded from, or ineligible for participation in, Federal assistance programs



Reminder:

The information contained in this presentation is not all-inclusive. It is meant to be a summary of the major grant requirements that the Contractor will be held accountable for. It is the Contractor's responsibility to thoroughly examine and become familiar with all of the various parts of the contract documents, including grant requirements. Failure to do so shall not release the Contractor from the obligations of the Contract.

● | **Contact:**

Carolyn Sheldon

(305) 809-3741

csheldon@keywestcity.com

For any grant-related questions