

Bid

RESOLUTION NO. 2021- 375

CAD/hh

**A RESOLUTION ACCEPTING THE PROPOSAL OF EARTH TECH (DE), LLC PERTAINING TO CONTRACT 21-C-00012; HILLSBOROUGH RIVER DAM NORTH EMBANKMENT REMEDIATION, IN THE AMOUNT OF \$567,960; AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE MAYOR OF THE CITY OF TAMPA; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on March 16, 2021, the Mayor received bids, tabulation of such bids being hereto attached for informational purposes, for the construction of Hillsborough River Dam North Embankment Remediation, and recommends to this Council that the proposal of Earth Tech (DE), LLC be accepted, funds therefore being available in the appropriate account;

NOW, THEREFORE,

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

Section 1. The proposal of Earth Tech (DE), LLC in the total amount of \$567,960 for construction of the Hillsborough River Dam North Embankment Remediation, in accordance with plans, specifications and other related contract documents prepared by the Contract Administration Department, is hereby approved and accepted; and the Contract is hereby awarded to the said Contractor.

Section 2. This Resolution, which is not part of the contract documents, authorizes the Mayor to execute and the City Clerk to attest and affix the official seal of the City of Tampa to the Contract for and on behalf of the City of Tampa.

Section 3. Plans, specifications and contract documents for the construction of said Project, which documents are now on file in the office of the Contract Administration Department of the City of Tampa, are hereby approved in their entirety or in substantially similar form.

Section 4. The Director of the Contract Administration Department is hereby authorized to issue, in written form only, work directive changes authorizing additions, deletions or revisions resulting from unforeseen conditions or emergencies, said directives to be incorporated in subsequently issued change orders approved by the City Council.

Section 5. Any and all technical errors, informalities and irregularities in the proposal of the Contractor are hereby waived.

Section 6. The bid security of the bidders shall be returned in accordance with the provisions of the contract documents for this project.

Section 7. This resolution provides funding in the amount of \$567,960 for the North Embankment Stabilization project for use by the Water Department within the Water Bonds – Series 2020 Capital Projects Fund.

Section 8. Other proper officers of the City of Tampa are authorized to do all things necessary and proper in order to carry out and make effective the provisions of this Resolution, which shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON MAY 20 2021

CHAIRMAN/CHAIRMAN PRO-TEM, CITY COUNCIL

APPROVED AS TO LEGAL SUFFICIENCY BY:  
Assistant City Attorney

ATTEST:

CITY CLERK/DEPUTY CITY CLERK

\*1% for Art: No

PW21-68439

0000137583-01

**Tampa Bay Times**  
**Published Daily**

STATE OF FLORIDA  
COUNTY OF Hillsborough

City of Tampa  
Bid 21-C-00004 Wastewater Gravity  
Sewer Rehabilitation by CIPP FY21 and  
21-C-00012 Hillsborough River Dam  
North Embankment Remediation  
Deadline 1:30 PM, 3/2/2021.  
Download Bid from DemandStar.com  
or tampagov.net/contract-  
administration/programs/constructor  
contract-bidding.  
01/27/2021 0000137583

} ss

Before the undersigned authority personally appeared **Jill Harrison** who on  
oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay  
Times** a daily newspaper printed in **St. Petersburg** in **Pinellas County, Florida**,  
that the attached copy of advertisement being a **Legal Notice** in the matter **RE:  
BID No. 21C-00004** was published in **Tampa Bay Times: 1/27/21** in said  
newspaper in the issues of **Baylink Hillsborough**

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

  
\_\_\_\_\_  
Signature Affiant

Sworn to and subscribed before me this **01/27/2021**

  
\_\_\_\_\_  
Signature of Notary Public

Personally known           X           or produced identification

Type of identification produced \_\_\_\_\_



**City of Tampa  
BID TABULATION**

**Contract: 21-C-00012; Hillsborough River Dam North Embankment Remediation**

**Bid Opening - March 16, 2021**

Posted March 16, 2021

<b>CONTRACTOR</b>	<b>TOTAL BID AMOUNT</b>
<b>Earth Tech (DE), LLC</b>	<b>\$567,960.00</b>
<b>Midcoast Construction Enterprises, LLC</b>	<b>\$614,350.00</b>
<b>Kiewit Infrastructure South Co.</b>	<b>\$895,347.00</b>
<b>Bun Construction Company</b>	<b>\$958,350.00</b>

Notice of intent to Award: Unless subsequently indicated otherwise, in a revised posting, the City of Tampa intends to award the referenced project to the lowest bidder listed in this tabulation. A bidder aggrieved by this decision may file a protest not later than 4:30 P.M., five (5) business days from the first posting hereof, pursuant to City of Tampa Code Chapter 2, Article V, Division 3, Section 2-282, Procurement Protest Procedures. Protests not conforming therewith shall not be reviewed.

Bids Received By: *Jim Greiner*

Jim Greiner, P.E.  
City of Tampa - Contract Administration Department  
306 E. Jackson Street - 4N  
Tampa, FL 33602

ALB

PROPOSAL

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

Legal Name of Bidder: EARTH TECH (DE), LLC

Bidder's Fictitious Name, if applicable: \_\_\_\_\_

Bidder is a/an:  Individual  Partnership\*  Joint Venture\*  LLC  Corp.  Other:

Bidder is organized under the laws of:  State of Florida  Other:

Bidder Mailing Address: 2620 HUNT ROAD LAND O' LAKES, FL. 34638

Bidder's Federal Employee Identification No. (FEI/EIN): 80-0534482

Bidder's License No.: CGC061734 Bidder's FDOS (SUNBIZ) Doc. No.: M10000000454  
(See Ch. 489, FS; use entity's, individual's only if applicable)

Bidder Contact Name\*\*: RON BROADRICK Email: RBROADRICK@EARTHTECH.COM Phone: (813) 909-8000

Bidder's own initial application for employment has criminal history screening practices similar in nature to the practices contained in Chapter 12, Article VI, City of Tampa Code (Responses, whether "Yes" or "No", are for informational purposes only and will not be used as a basis of award or denial, nor as a basis for any protest):  Yes  No

The below named person, appearing before the undersigned authority and after being first duly sworn, for him/herself and on behalf of the entity submitting this Proposal does hereby affirm and declare as follows:

- (1) He/She is of lawful age and is authorized to act on behalf of Bidder (the individual, partnership, corporation, entity, etc. submitting this Proposal) and that all statements made in this document are true and correct to the best of my knowledge.
- (2) If Bidder is operating under a fictitious name, Bidder has currently complied with any and all laws and procedures governing the operation of businesses under fictitious names in the State of Florida
- (3) No person or entity other than Bidder has any interest in this Proposal or in the Contract proposed to be entered into.
- (4) This Proposal is made without any understanding, agreement, or connection with any person or entity making Proposal for the same purposes, and is in all respects fair and without collusion or fraud.
- (5) Bidder is not in arrears to the City of Tampa, upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the City of Tampa.
- (6) That no officer or employee or person whose salary is payable in whole or in part from the City Treasury is, shall be or become interested, directly or indirectly, as a contracting party, partner, stockholder, surety or otherwise, in this Proposal, or in the performance of the Contract, or in the supplies, materials, or equipment and work or labor to which it relates, or in any portion of the profits thereof.
- (7) Bidder has carefully examined and fully understands the Solicitation and has full knowledge of the scope, nature, and quality of the work to be performed; furthermore, Bidder has carefully examined the site of the work and that, from his own investigations, he has satisfied himself as to the nature and location of the work, the character, quality, and quantity of materials and the kinds and extent of equipment and other facilities needed for the performance of the work, the general and local conditions and all difficulties to be encountered, and all other items which may, in any way, affect the work or its performance.
- (8) Bidder (including its principals)  has |  has NOT been debarred or suspended from contracting with a public entity.
- (9) Bidder  has |  has NOT implemented a drug-free workplace program that meets the requirements of Section 287.087, Florida Statutes.
- (10) Bidder has carefully examined and fully understands all the component parts of the Contract Documents and agrees Bidder will execute the Contract, provide the required Public Construction Bond, and will fully perform the work in strict accordance with the terms of the Contract and Contract Documents therein referred to for the following prices, to wit:

\* If a Partnership or Joint Venture, attach Partnership or Joint Venture Agreement.

\*\* Someone the City may contact with questions/correspondence regarding this Solicitation and/or permits.

# Contract 21-C-00012; Hillsborough River Dam North Embankment Remediation

Itemized Bid Sheet						
Item	Description	Unit	Quantity	Unit Price in Words	Unit Price	Price
1	Permits and Authorizations	LS	1	FIVE HUNDRED DOLLARS	\$ 500.00	\$ 500.00
2	Mobilization and Demobilization	LS	1	FIVE THOUSAND DOLLARS	\$ 5,000.00	\$ 5,000.00
3	Site Preparation including Surveying	LS	1	FIFTEEN THOUSAND DOLLARS	\$ 15,000.00	\$ 15,000.00
4	Environmental Protection	LS	1	THREE THOUSAND DOLLARS	\$ 3,000.00	\$ 3,000.00
5	Utility Locates	LS	1	TEN THOUSAND DOLLARS	\$ 10,000.00	\$ 10,000.00
6	Casing Installation	LF	11,310	SIXTEEN DOLLARS	\$ 16.00	\$ 180,960.00
7	Low Mobility Grouting	CY	1,700	ONE HUNDRED SIXTY FIVE #	\$ 165.00	\$ 280,500.00
8	Earthwork/Site Restoration	LS	1	TWENTY THOUSAND DOLLARS	\$ 20,000.00	\$ 20,000.00
9	Toe Drain Video Inspection & Report	LS	1	THREE THOUSAND DOLLARS	\$ 3,000.00	\$ 3,000.00
					<b>Sub-total</b>	<b>\$ 517,960.00</b>
	Owner's Contingency	LS	1	fifty thousand dollars	\$ 50,000.00	\$ 50,000.00
					<b>Sub-total</b>	
					<b>Total</b>	<b>\$ 567,960.00</b>

Computed Total Price in Words: FIVE HUNDRED SIXTY SEVEN THOUSAND NINE HUNDRED AND SIXTY dollars and ZERO cents.

Computed Total Price in Figures: \$ 567,960.00

Bidder acknowledges that the following addenda have been received and that the changes covered by the addendum(s) have been taken into account in this proposal: #1 X #2 X #3 X #4     #5     #6     #7     #8    .

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

Bidder acknowledges that it is aware of Florida's Trench Safety Act (Sections 553.60-553.64, Florida Statutes), and agrees that Bidder together with any involved subcontractors will comply with all applicable trench safety standards. Bidder further acknowledges that included in the various items of this Proposal and the total bid price (as applicable) are costs for complying with the Trench Safety Act. Bidder further identifies the costs and methods summarized below:

	Trench Safety Measure (Description)	Unit of Measure (LF, SY)	Unit Quantity	Unit Cost	Extended Cost
A.	<u>NA</u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>
B.	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>
C.	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>
<b>Total Cost: \$</b>				<u>0</u>	<u>   </u>

Accompanying this Proposal is a certified check, cashier's check or Tampa Bid Bond (form included herein must be used) for at least five percent (5%) of the total amount of the Proposal which check shall become the property of the City, or which bond shall become forthwith due and payable to the City, if this Proposal shall be accepted by the City and the Bidder shall fail to enter into a legally binding contract with and to furnish the required Public Construction Bond to the City within twenty (20) days after the date of its receipt of written Notice of Award by the City so to do.

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



[SEAL]

Name of Bidder: EARTH TECH (DE), LLC  
 Authorized Signature: [Signature]  
 Signer's Printed Name: RON L. BROADRICK  
 Signer's Title: CEO

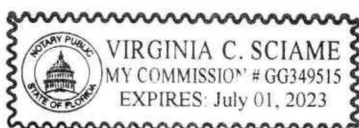
STATE OF FLORIDA  
 COUNTY OF PASCO

For an entity: The forgoing instrument was Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 15TH day of MARCH, 2020, 2021 by RON L. BROADRICK as CEO of EARTHTECH (DE), LLC, a/n  Partnership  Joint Venture  LLC  Corp  Other:    , on behalf of such entity. Such individual is Personally Known OR Produced Identification. Type of Identification Produced:    

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

[NOTARY SEAL]

Virginia C. Sciame  
 Notary Public, State of Florida  
 Notary Printed Name: Virginia C. Sciame  
 Commission No.: GG349515  
 My Commission Expires: 07/01/2023





# Good Faith Effort Compliance Plan Guidelines

for Women/Minority Business Enterprise/Small Local Business Enterprise Participation  
City of Tampa - Equal Business Opportunity Program

(MBD Form 50 - detailed instructions on page 2 of 2)

Contract Name HILLSBOROUGH RIVER DAM N. EMBANKMENT REMEDIATION Bid Date 3/16/2021  
 Bidder/Proposer BARTH TECH (DE), LLC  
 Signature [Signature] Date 3/16/2021  
 Name RON L. BROADRICK Title CEO

The Compliance Plan with attachments is a true account of Good Faith Efforts (GFE) made to achieve the participation goals as specified for Women/Minority Business Enterprises/Small Local Business Enterprises (WMBE/SLBE) on the referenced contract:

The WMBE/SLBE participation **Goal is Met or Exceeded**. See DMI Forms 10 and 20 which accurately report all subcontractors solicited and all subcontractors to-be-utilized.

The WMBE/SLBE participation Goal is **Not Achieved**. The following list is an overview of the baseline GFE action steps already performed. Furthermore, it is understood that these GFE requirements are weighted in the compliance evaluation based on the veracity and demonstrable degree of documentation provided with the bid/proposal:

(Check applicable boxes below. Must enclose supporting documents accordingly with remarks)

- (1) Solicited through reasonable and available means the interest of WMBE/SLBEs that have the capability to perform the work of the contract. The Bidder or Proposer must solicit this interest within sufficient time to allow the WMBE/SLBEs to respond. The Bidder or Proposer must take appropriate steps to follow up initial solicitations with interested WMBE/SLBEs.  See DMI report forms for subcontractors solicited.  See enclosed supplemental data on solicitation efforts.  Qualifying Remarks:
- (2) Provided interested WMBE/SLBEs with adequate, specific scope information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the requested-scope identified by bidder/proposer for the solicitation.  See enclosed actual solicitations used.  Qualifying Remarks:
- (3) Negotiated in good faith with interested WMBE/SLBEs that have submitted bids (e.g. adjusted quantities or scale). Documentation of negotiation must include the names, addresses, and telephone numbers of WMBE/SLBEs that were solicited; the date of each such solicitation; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why agreements could not be reached with WMBE/SLBEs to perform the work. Additional costs involved in soliciting and using subcontractors is not a sufficient reason for a bidder/proposer's failure to meet goals or achieve participation, as long as such costs are reasonable. Bidders are not required to accept excessive quotes in order to meet the goal.
  - DMI Utilized Forms for sub-(contractor/consultant) reflect genuine negotiations
  - This project is an RFQ/RFP in nature and negotiations are limited to clarifications of scope/specifications and qualifications.
  - See enclosed documentation.
  - Qualifying Remarks:
- (4) Not rejecting WMBE/SLBEs as being unqualified without justification based on a thorough investigation of their capabilities. The WMBE/SLBEs standing within its industry, membership in specific groups, organizations / associations and political or social affiliations are not legitimate causes for rejecting or not soliciting bids to meet the goals.
  - Not applicable.
  - See attached justification for rejection of a subcontractor's bid or proposal.
  - Qualifying Remarks:
- (5) Made scope(s) of work available to WMBE/SLBE subcontractors and suppliers; and, segmented portions of the work or material consistent with the available WMBE/SLBE subcontractors and suppliers, so as to facilitate meeting the goal.  Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion.  See enclosed comments.  Qualifying Remarks:
- (6) Made good faith efforts, despite the ability or desire of Bidder/Proposer to perform the work of a contract with its own forces/organization. A Bidder/Proposer who desires to self-perform the work of a contract must demonstrate good faith efforts if the goal has not been met.  Sub-Contractors were not prohibited from submitting bids/proposals and were solicited on work typically self-performed by the prime.  Qualifying Remarks:
- (7) Segmented portions of the work to be performed by WMBE/SLBEs in order to increase the likelihood that the goals will be met. This includes, where appropriate, breaking out contract work items into economically feasible units (quantities/scale) to facilitate WMBE/SLBE participation, even when the Bidder/Proposer might otherwise prefer to perform these work items with its own forces.  Sub-Contractors were allowed to bid on their own choice of work or trade without restriction to a pre-determined portion.  Sub-Contractors were not prohibited from submitting bids/proposals and were solicited on work typically self-performed by the prime.  See enclosed comments.  Qualifying Remarks:
- (8) Made efforts to assist interested WMBE/SLBEs in obtaining bonding, lines of credit, or insurance as required by the city or contractor.
  - See enclosed documentation on initiatives undertaken and methods to accomplish.
  - Qualifying Remarks:
- (9) Made efforts to assist interested WMBE/SLBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, including participation in an acceptable mentor-protégé program.  See enclosed documentation of initiatives and/or agreements.  Qualifying Remarks:
- (10) Effectively used the services of the City and other organizations that provide assistance in the recruitment and placement of WMBE/SLBEs.
  - See enclosed documentation.
  - The following services were used:

Note: Provide any unsolicited information that will support the Bid/RFP Compliance Evaluation.  Named Documents Are:

TAMPA BID BOND  
Contract 21-C-00012; Hillsborough River Dam North Embankment Remediation

KNOW ALL MEN BY THESE PRESENTS, that we, Earth Tech (DE), LLC, 2620 Hunt Road,  
Land O'Lakes, Florida 34638

(hereinafter called the Principal) and Federal Insurance Company

(hereinafter called the Surety) a Corporation chartered and existing under the laws of the State of Indiana, with its principal offices in the City of Whitehouse Station, NJ, and authorized to do business in the State of Florida, are held and firmly bound unto the City of Tampa, a Municipal Corporation of Hillsborough County, Florida, in the full and just sum of 5% of the amount of the (Bid) (Proposal) good and lawful money of the United States of America, to be paid upon demand of the City of Tampa, Florida, to which payment will and truly to be made we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally and firmly these presents.

WHEREAS, the Principal is about to submit, or has submitted to the City of Tampa, Florida, a Proposal for the construction of certain facilities for the City designated Contract 21-C-00012, Hillsborough River Dam North Embankment Remediation.

WHEREAS, the Principal desires to file this Bond in accordance with law, in lieu of a certified Bidder's check otherwise required to accompany this Proposal.

NOW, THEREFORE: The conditions of this obligation are such that if the Proposal be accepted, the Principal shall, within twenty (20) days after the date of receipt of written Notice of Award, execute a contract in accordance with the Proposal and upon the terms, conditions and price set forth therein, in the form and manner required by the City of Tampa, Florida and execute a sufficient and satisfactory Public Construction Bond payable to the City of Tampa, Florida in an amount of one hundred percent (100%) of the total contract price, in form and with security satisfactory to said City, then this Bid Bond obligation is to be void; otherwise to be and remain in full force and virtue in law, and the Surety shall, upon failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the aforesaid City, upon demand, the amount thereof, in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

IN TESTIMONY THEREOF, the Principal and Surety have caused these presents to be duly signed and sealed this 9th day of March, 2021.

Principal



EARTH TECH (DE), LLC

BY [Signature]

TITLE CEO

FEDERAL INSURANCE COMPANY

BY [Signature]

TITLE Wendy Lee Wadkins/Attorney-In-Fact

(SEAL)



Wendy Lee Wadkins

Producing Agent

100 Matsonford Road, Bldg. 5, Suite 200

Radnor, Pennsylvania 19087

Producing Agent's Address

Willis Towers Watson Northeast, Inc.

Name of Agency

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



**FEDERAL INSURANCE COMPANY**  
**STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS**

Statutory Basis  
 December 31, 2019  
 (in thousands)

ASSETS		LIABILITIES AND SURPLUS TO POLICYHOLDERS	
Cash and Short Term Investments	\$ (429,780)	Outstanding Losses and Loss Expenses	\$ 6,823,691
United States Government, State and Municipal Bonds	4,559,706	Reinsurance Payable on Losses and Expenses	1,433,250
Other Bonds	5,314,219	Unearned Premiums	2,014,727
Stocks	32,735	Ceded Reinsurance Premiums Payable	353,115
Other Invested Assets	<u>1,029,733</u>	Other Liabilities	<u>849,544</u>
<b>TOTAL INVESTMENTS</b>	<b><u>10,506,613</u></b>	<b>TOTAL LIABILITIES</b>	<b><u>11,474,327</u></b>
Investments in Affiliates:		Capital Stock	20,980
Great Northern Ins. Co.	395,442	Paid-In Surplus	2,711,474
Vigilant Ins. Co.	341,290	Unassigned Funds	<u>1,306,881</u>
Chubb Indemnity Ins. Co.	178,808	<b>SURPLUS TO POLICYHOLDERS</b>	<b><u>4,039,335</u></b>
Chubb National Ins. Co.	181,053		
Other Affiliates	97,150		
Premiums Receivable	1,511,096		
Other Assets	<u>2,302,210</u>		
<b>TOTAL ADMITTED ASSETS</b>	<b><u>\$ 15,513,662</u></b>	<b>TOTAL LIABILITIES AND SURPLUS</b>	<b><u>\$ 15,513,662</u></b>

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners, At December 31, 2019, investments with a carrying value of \$508,749,121 were deposited with government authorities as required by law.

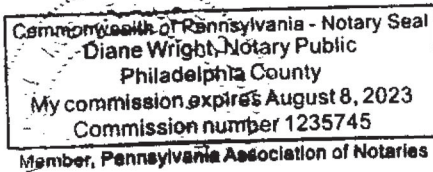
STATE OF PENNSYLVANIA  
 COUNTY OF PHILADELPHIA

John Taylor, being duly sworn, says that he is Senior Vice President of Federal Insurance Company and that to the best of his knowledge and belief the foregoing is a true and correct statement of the said Company's financial condition as of the 31 st day of December, 2019.

Sworn before me this April 14, 2020  
 Documented by: John Taylor  
 028C1F8D55 Senior Vice President

Diane Wright  
 Notary Public

August 8, 2023  
 My commission expires



# CHUBB

## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Christopher F. Mulvaney, Pablo Rios Jr. and Wendy Lee Wadkins of Radnor, Pennsylvania

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 15<sup>th</sup> day of January, 2020.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY  
County of Hunterdon

ss.

On this 15<sup>th</sup> day of January, 2020 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316885  
Commission Expires July 16, 2024

*Katherine J. Adelaar*  
Notary Public

### CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect.
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 9<sup>th</sup> day of March, 2021

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com



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

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

Contract No.: 21-C-00012 Contract Name: HILLS BOROUGH RIVER DAM N. EMBANKMENT REMEDIATION  
 Company Name: EARTH TECH (DE), LLC Address: 2620 HUNT RD. LAND O' LAKES FL. 34638  
 Federal ID: 80-05344BZ Phone: 813-909-8000 Fax: 813-909-8001 Email: R.BROADRICK@EARTHTECH.COM

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

No Firms were contacted or solicited for this contract.

No Firms were contacted because: \_\_\_\_\_

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

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

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

S = SLBE W=WMBE O = Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade or Services  NIGP Code (listed above)	Contact Method L=Letter F=Fax E=Email P=Phone	Quote or Response Received Y/N
WMBE 262726493	ANALYTIC ENGINEERING, INC. 15627 N. HIMES AVE. TAMPA FL 33618 P. 813-841-6548 F. 813-902-6584 ASTEWART@ANALYTIC-ENGINEERING.COM	BBE BM	925	E, P	Y
WMBE 593237612	BARNES FORLAND & ASSOCIATES INC 1230 HILLCREST ST. SUITE 100 ORLANDO FL. 32803 P. 407-896-8608 F. 407-896-1822 PBARNES@BFAENVIRONMENTAL.COM	BBE BM	925	E, P	Y
WMBE 260150833	CONSTRUCTION & ENGINEERING SERVICES (C) INC. 9432 BAY MEADOWS RD. STE 100 JACKSONVILLE, FL. 32256 P. 404-652-1166 F. 904-652-1111 DRAVIS@CANDESCONSULT.COM	BBE BM	925	E, P	Y
WMBE 650519739	EAC CONSULTING INC 500 WINDERLEY PLACE MAITLAND FL 32751 P. 305-265-5400 F. 305-264-5507 EAC@EACCONSULT.COM	BBE BM	925	E, P	Y
WMBE 592314222	OHC ENVIRONMENTAL ENGINEERING INC. 101 S. HOOVER BLVD, SUITE 101 TAMPA, FL 33609 P. 813-626-5156 F. 813-435-2389 OHCADMIN@OHCNET.COM	BBE BM	925	E, P	N
WMBE 593009648	SPECTRA ENGINEERING & RESEARCH, INC 1060 MAITLAND CWT. COMMONS MAITLAND FL 32751 P. 407-951-8044 F. 850-942-2717 SPECTRA@SPECTRAENGINEERING.COM	BBE BM	925	E, P	Y
WMBE 593046707	RHC ASSOCIATES INC 2338 W. PALMETTO ST. TAMPA FL 33607 P. 813-254-0744 P. 813-254-0907 JROBIN19@TAMPABAY.RR.COM	BBE BM	925	E, P	Y

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

Signed: [Signature] Name/Title: RON L. BROADRICK CEO Date: 3/16/2021

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



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

**Page 1 of 4 – DMI Solicited/Utilized Schedules**  
**City of Tampa – Schedule of All Solicited Sub-(Contractors/Consultants/Suppliers)**  
**(FORM MBD-10) PAGE 2**

Contract No.: 21-C-00012 Contract Name: HILLSBOROUGH RIVER PM N. EMBANKMENT REMEDIATION  
 Company Name: EARTHTECH(DF), LLC Address: 2620 HUNT RD. LAND O' LAKES FL 34638  
 Federal ID: 80-0534482 Phone: 813-909-8000 Fax: 813-909-8001 Email: R3BROADRICK@EARTHTECH.COM

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

No Firms were contacted or solicited for this contract.

No Firms were contacted because: \_\_\_\_\_

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

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

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

S = SLBE W = WMBE O = Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade or Services  NIGP Code (listed above)	Contact Method L=Letter F=Fax E=Email P=Phone	Quote or Response Received Y/N
WMBE 593207004	WBQ DESIGN & ENGINEERING INC 201 N. MAGNOLIA AVE, SUITE 200 OR FL. P. 407-839-4300 F. 407-839-1021 32801	BBE BM	925	E, P	N
WMBE 844175100	DAVID TRASH REMOVAL SERVICES 3006 E. 35TH AVE, TAMPA FL. 33610 P. 813-394-3316 F. 813-512-7619 DALLEN_99@HOTMAIL.COM	BBE BM	909	E, P	N
WMBE 593648996	ECO 2000 INC. 1611 W. C. 48 BUSHNELL, FL. 33513 P. 352-793-5060 F. 352-793-9074 WATERWORKS@ECO2000INC.COM	BBE BM	909	E, P	Y
WMBE 760840117	M BATTLE CONSTRUCTION LLC 470 MAPLE WAY, SAFETY HARBOR FL. 34695 P. 727-214-4301 F. 727-517-3774 MOEBATTLE@HOTMAIL.COM	BBE BM	909	E, P	Y
WMBE 463561860	MCKENZIE CONTRACTING LLC 7712 W. BROADWAY AVE TAMPA FL. 33619 P. 813-454-4429 F. 813-454-4429 VALARIE@MCKENZIECONTRACTINGLLC.COM	BBE BM	909	E, P	Y
WMBE 834436570	STREAM TEAM PRESERVATIONS LLC 1255 AUTUMN DR. LOT 255 TAMPA FL. P. 813-543-8570 F. 813-474-0021 33613 REHALEY@STREAMTEAMPRESERVATIONS.COM	BBE BM	909	E, P	N
WMBE 272468473	KERRICK WILLIAMS PHOTOGRAPHY LLC 811 HICKORY GLEN DR. SEFFNER FL. 33584 P. 813-571-3768 F. 866-571-7149 KERRICK@KERRICKWILLIAMS.COM	BBE BM	915	E, P	Y

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

Signed: [Signature] Name/Title: Paul L. Broadrick CEO Date: 3/16/2021

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**Forms must be included with Bid / Proposal**



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

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

Contract No: 21-C-00012 Contract Name: HILLSBOROUGH RIVER DAM N. EMBANKMENT REMEDIATION  
 Company Name: EARTH TECH (DE) LLC Address: 2620 HUNT RD. LAND O' LAKE FL. 34638  
 Federal ID: 80-0534482 Phone: 813-909-8000 Fax: 813-909-8001 Email: RBR@EARTHTECH.COM

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

No Firms were contacted or solicited for this contract.

No Firms were contacted because: \_\_\_\_\_

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

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

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

S = SLBE W=WMBE O = Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade or Services  NIGP Code (listed above)	Contact Method L=Letter F=Fax E=Email P=Phone	Quote or Response Received Y/N
WMBE 824538175	RICH & COMPANY FLORIDA, LLC 14245 ALLISMAE MANOR DR. WILMAUMA FL. 33598 P. 727-351-2243 RICHANDCOFLEGMAIL.COM	BBE BM	915	E, P	N
WMBE 820853461	SHINE PHOTO ENTERTAINMENT 9506 AMBERDALE CT. RIVERVIEW FL. 33578 P. 813-638-1602 HELLO@SHINEPHOTOENTERTAINMENT.COM	BBE BF	915	E, P	N
WMBE 821760273	SNAPPY PLUM PHOTOS 2780 E. FOWLER AVE #243 TAMPA FL. 33612 P. 253-222-4737 SNAPPYPLUMPHOTOS@GMAIL.COM	BBE BF	915	E, P	Y
WMBE 833373824	WARPED VISION LLC 9212 FREEDOM HILL DR. SEFFNER FL. 33594 P. 813-361-1679 STUDIO@WARPEDVISION.COM	BBE BM	915	E, P	N
O 270786537	GEO POINT SURVEYING INC 213 NODDYS ST. TAMPA FL. 33619 P. 813-248-9888 F. 813-248-2266		925	E, P	Y
O 592894236	SIGN SYSTEMS 5031 W. GRACE ST. TAMPA, FL. 33607 P. 813-281-2400 F. 813-740-5049		912-77	E, P	Y
O 342064019	LRS LAWN & PROPERTY MAINTENANCE 1324 SEVEN SPRINGS BLVD NO. 319 NEW PORT RICHIEY, FL. 34653 P. 727-808-6740		909	P	Y

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

Signed: RBR Name/Title: Paul Broadrick CEO Date: 3/16/2021

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

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

Contract No.: 21-C-00012 Contract Name: HILLSBOROUGH RIVER DAM N. EMBANKMENT REMEDIATION  
 Company Name: DATA TECH (DE) LLC Address: 2620 HUNT RD. LAND O' LAKES FL. 34638  
 Federal ID: 80-0534482 Phone: 813-909-8000 Fax: 813-909-8001 Email: R.BROADRICK@DATATECH.COM

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

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

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

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

No Firms are listed to be utilized because: \_\_\_\_\_

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

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

S = SLBE W=WMBE O=Neither	Company Name Address Phone, Fax, Email	Type of Ownership (F=Female M=Male) BF BM = African Am. HF HM = Hispanic Am. AF AM = Asian Am. NF NM = Native Am. CF CM = Caucasian	Trade, Services, or Materials  NIGP Code Listed above	\$ Amount of Quote. Letter of Intent (LOI) if available	Percent of Scope or Contract %
W 593237612	BARNES FERLAND & ASSOCIATES, INC. 1230 HILLCREST ST. SUITE 100 ORLANDO FL. 32803 P. 407-896-8608 F. 407-896-1822 BARNESC@FAENVIRONMENTAL.COM	BM	925	\$12,000	2.10%
O 270786537	GEO POINT SURVEYING, INC. 213 HOBBBS ST. TAMPA FL. 33619 P. 813-248-8888 JUSTIN@GEOPOINTSURVEY.COM		925	\$2,500	0.4%
O 342064019	LRS LAWN & PROPERTY MAINTENANCE 1324 SEVEN SPINDLES BLVD. #319 NEW PORT RICHEY, FL. 34655 P. 727-808-6740		909	\$14,000	2.4%
O 592894236	SIGN SYSTEMS 5031 W. GRACE ST. TAMPA FL. 33607 P. 813-281-2400 F. 813-740-5049		915	\$750	0.1%

Total ALL Subcontract / Supplier Utilization \$ 29,250.00  
 Total SLBE Utilization \$ 0  
 Total WMBE Utilization \$ 12,000.00  
 Percent SLBE Utilization of Total Bid/Proposal Amt. 0 % Percent WMBE Utilization of Total Bid/Proposal Amt. 2.1 %

It is hereby certified that the following information is a true and accurate account of utilization for sub-contracting opportunities on this Contract.  
 Signed: [Signature] Name/Title: Roul Broadrick CEO Date: 3/16/2021

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**Forms must be included with Bid / Proposal**



# City of Tampa

Jane Castor, Mayor

## Equal Business Opportunity

Gregory K. Hart, Manager

306 East Jackson Street, 3N

Tampa, Florida 33602

Office (813) 274-5522

Fax: (813) 274-5544

DATE: March 29, 2021  
 TO: Michael Chucran, Director, Contract Administration Department  
 FROM: Gregory K. Hart, Manager  
 RE: EBO Bid Compliance Evaluation - GFCEP Solicitation and Utilization Audit

**PROJECT:** 21-C-00012 Hillsborough River Dam North Embankment Remediation  
**LOW BIDDER:** Earth Tech (DE), LLC  
**BID AMOUNT:** \$567,960.00

**U-WMBE (BBE) Subcontract Goal:** 2.0%  
**U-WMBE(BBE) Goal Attainment:** 2.1%  
**Good Faith Effort Compliance:** Compliant-Met Requirements

The Equal Business Opportunity Office evaluated the Good Faith Effort Compliance Plan (GFCEP) submitted by Low Bidder Earth Tech (DE), LLC and determined they complied with the requirements of the Equal Business Opportunity Program (EBO) at time of bid by having performed meaningful action steps to (a) identify and (b) directly solicit Underutilized-WMBE eligible companies to quote divisions of work commensurate with the participation goal. The project goal was narrowly-tailored on the basis of three (3) out of five (5) subcontract categories wherein the requisite, eligible U-WMBE companies represented a minimum availability group of eighteen (18) firms, within an overall availability group of one hundred (100+) available COT certified companies by subcontract tasks.

*NOTE: The subcontract goal is narrowly tailored (per policy) to target underutilization of affected groups in specific trade/industry categories. Any WMBE/SLBE achievement that was not a variable in calculation of the narrowly tailored goal is considered ancillary. Ancillary participation cannot be credited toward meeting the narrowly tailored goal but may count toward the bidder's overall project participation when GFCEP criteria for the underutilized group are met.*

**Compliance Statement:** U-WMBE participation is 100% of the eligible goal calculated for the project, representing 2.1% BBE (African American).

### U-WMBE Subcontract Goal Attainment

Certification Type	Classification	Classification	Totals
U-WMBE Disparity	BBE		2.1%

### Ancillary Participation

Certification Type	Classification	Totals
WMBE	-0-	-0-

*Gregory Hart*  
 Gregory K. Hart, MPA, CPPA

GKH/RT