

Bid Receipt

ITB #3063-17

Bid Name: Valve Replacement Program Phase 11

Time Stamped:

1. Bid Recipient
2. Bidder's Acknowledgements
3. Bidder's Representations
4. Bidder's Certifications
5. Basis of Bid
6. Time of Completion
7. Attachments to this Bid
8. Defined Terms
9. Bid Submittal
10. Required Forms

ARTICLE 1 - BID RECIPIENT

- 1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an AGREEMENT with OWNER in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the price(s) and within the times indicated in this Bid and in accordance with the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGEMENTS

- 2.01 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of OWNER. Bidder will sign the AGREEMENT and will furnish the required contract security, and other required documents within the time periods set forth in the Bidding Documents.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

- 3.01 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, if any, and the following Addenda, receipt of all of which is hereby acknowledged.

Addendum No.	Date Received	Addendum No.	Date Received
#1	04/19/2017		
#2	05/01/2017		

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in Paragraph 4.02 of the General Conditions, and (2) reports and drawings of Hazardous Environmental Conditions identified at the Site, if any, which that have been identified in the Supplementary Conditions as provided in Paragraph 4.06 of the General Conditions.
- E. Bidder has obtained and carefully studied (or accepts the consequences for not doing so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.
- F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work (if any) to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies and data with the Bidding Documents.
- I. Bidder has given ~~Engineer~~ Owner written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by ~~Engineer~~ Owner is acceptable to Bidder.
- J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

3.02 Bidder further represents that:

- A. this Bid is genuine and is not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding;
- C. Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER; and
- D. No person or persons acting in any official capacity for the Owner are directly or indirectly interested in this Bid, or in any portion of the profit thereof.

ARTICLE 4 – BIDDER’S CERTIFICATIONS

4.01 Bidder certifies that:

- A. this Bid is genuine and is not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract. For the purposes of the Paragraph 4.01.D;
 - 1. “Corrupt practice” means the offering, giving, or soliciting of anything of value likely to influence the action of a public official in the bidding process

2. "Fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition.
3. "Collusive practice" means to scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels.
4. "Coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 - BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

CITY OF VENICE
VALVE REPLACEMENT PROGRAM: PHASE 11

Item	Description	Quantity	Unit	Unit Price (In Numbers)	Total Price (In Numbers)
1.0	COLOR AUDIO-VIDEO PRECONSTRUCTION RECORD	1	Lump Sum	\$ 500.00	\$ 500.00
2.0	VALVE REPLACEMENT	---	---	---	---
2.1	REPLACE AREA 1 VALVE C00-0609 (8" GATE VALVE)	1	Lump Sum	\$ 8,500.00	\$ 8,500.00
2.2	REPLACE AREA 3 VALVE C00-0605 (4" GATE VALVE)	1	Lump Sum	\$ 5,500.00	\$ 5,500.00
2.3	REPLACE AREA 3 VALVE C00-0635 (12" BUTTERFLY VALVE)	1	Lump Sum	\$ 10,500.00	\$ 10,500.00
2.4	REPLACE AREA 4 VALVE N03-0610 (6" GATE VALVE)	1	Lump Sum	\$ 7,000.00	\$ 7,000.00
3.0	FIRE HYDRANT ASSEMBLY REPLACEMENT	---	---	---	---
3.1	REPLACE AREA 1 FIRE HYDRANT ASSEMBLY NE 015 (INCLUDING HYDRANT TEE)	1	Lump Sum	\$ 11,500.00	\$ 11,500.00
3.2	REPLACE AREA 3 FIRE HYDRANT ASSEMBLY SE 011 (NOT INCLUDING HYDRANT TEE)	1	Lump Sum	\$ 8,800.00	\$ 8,800.00
4.0	AIR RELEASE VALVE ASSEMBLY REPLACEMENT	---	---	---	---
4.1	REPLACE AREA 2 AIR RELEASE VALVE ASSEMBLY ARP01	1	Lump Sum	\$ 9,200.00	\$ 9,200.00
4.2	REPLACE AREA 5 AIR RELEASE VALVE ASSEMBLY ARP03	1	Lump Sum	\$ 11,000.00	\$ 11,000.00

CITY OF VENICE
VALVE REPLACEMENT PROGRAM: PHASE 11

5.0	INSERTABLE VALVE INSTALLATION	---	--	---	---
5.1	INSTALL AREA 1 INSERTABLE VALVE C00-0659 (6")	1	Lump Sum	\$ 11,500.00	\$ 11,500.00
5.2	INSTALL AREA 2 INSERTABLE VALVE N01-0336 (12")	1	Lump Sum	\$ 21,000.00	\$ 21,000.00
6.0	LINE STOP INSTALLATION	---	---	---	---
6.1	INSTALL AREA 1 LINE STOP (8")	1	Lump Sum	\$ 10,500.00	\$ 10,500.00
Subtotal (Sum of Bid Items 1.0 through 6.1, inclusive):					
				\$	115,500.00
(in numbers)					
7.0	MOBILIZATION & DEMOBILIZATION Not to Exceed 7.5% of Subtotal (Sum of Bid Items 1.0 through 6.1)	1	Lump Sum	\$ 8,000.00	\$ 8,000.00
8.0	OWNER'S ALLOWANCE	1	Lump Sum	\$ 5,000.00	\$ 5,000.00
Total Base Bid (Sum of Bid Items 1.0 through 8.0, inclusive):					
				\$	128,500.00
(in numbers)					
Total Base Bid in Words (Sum of Items 1.0 through 8.0, inclusive):					
One Hundred Twenty-Eight Thousand Five Hundred Do					

NAME OF BIDDER: David Kuxhaysen Construction LLC

BIDDER'S SIGNATURE: *David Kuxhaysen*

CURRENT LICENSE NUMBER: CUC 1223727

DATE: 05/01/2017

- 5.04 Unit prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.
- 5.05 Bidder acknowledges that estimated quantities of items of Unit Price Work are not guaranteed and are solely for the purpose of comparison of Bids, and final payment for all Unit Price items will be based on actual quantities of Unit Price Work determined as provided in the Contract Documents.
- 5.06 All specified cash allowances are included in the price(s) set forth above and have been completed in accordance with Paragraph 11.02 of the General Conditions.

ARTICLE 6 - TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete within 90 calendar days after the date when the Contract Times commence to run as provided in Paragraph 2.03 of the General Conditions, and will be completed and ready for final payment in accordance with paragraph 14.07.B of the General Conditions within 105 calendar days after the date when the Contract Times commence to run, which days will be entered by Owner into the Agreement as the Contract Times.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated and special damages, if any, in the event of failure to complete the Work within the Contract Times.

ARTICLE 7 - ATTACHMENTS TO THIS BID

- 7.01 The following documents are attached to and made a condition of this Bid:
- A. Required Bid security.
 - B. Required Bidder Qualifications Statement with supporting data.
 - C. Miscellaneous Bid Forms

ARTICLE 8 - DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders and the General Conditions and Supplementary Conditions.

ARTICLE 9 - BID SUBMITTAL

9.01 This Bid submitted on May 9, 2017, by:

If Bidder is:

Individual

Name (Typed or Printed):

N/A

By _____

(Individual's Signature)

Doing business as _____

License or Registration Number: _____

Business Address: _____

Phone No.: _____ Facsimile: _____

A Partnership

N/A

Partnership Name: _____

By: _____

(Signature of General Partner - Attach evidence of authority to sign)

(Name (Typed or Printed): _____

License or Registration Number: _____

Business Address: _____

Phone No.: _____ Facsimile: _____

A Corporation

Corporation Name: N/A

(State of Incorporation)

By _____
(Signature - Attach evidence of authority to sign)

Name and Title (Typed or Printed): _____

(CORPORATE
SEAL)

Attest: _____
(Secretary)

License or Registration Number: _____


Business Address: _____

Phone No.: _____ Facsimile: _____

Limited Liability Company

By: David Kuxhausen Construction LLC
(Firm Name)

Florida
(State of Formation)

By: 
(Signature of Member/Authorized to Sign)

David Kuxhausen
(Printed or Typed Name and Title of Member Authorized to Sign)
(Attach evidence of authority to sign.)

License or Registration Number: CUC 1223727

Business Address: 4321 Midland Road
Sarasota, FL 34231

Phone No.: 941-350-7595 Facsimile: N/A

A Joint Venture

Name of Joint Venture: N/A

First Joint Venturer Name: _____

By: _____
(Signature of First Joint Venturer - Attach evidence of authority to sign)

Name (Typed or Printed): _____ (Title)

Title: _____

Second Joint Venturer Name: _____

By: _____
(Signature of Second Joint Venturer - Attach evidence of authority to sign)

Name (Typed or Printed): _____ (Title)

(Each joint venturer must sign. The manner of signing for each individual, partnership, corporation or limited liability company that is a party to the joint venture shall be in the manner indicated above).

Business Address: _____

Phone and FAX number and address for receipt of communications to joint venture:

Phone: _____ Facsimile: _____

ARTICLE 10 – REQUIRED FORMS

Required Forms Check List: ITB# 3063-17: Valve Replacement Program: Phase 11

- Bid Form
- Proposal Bond
- Local Preference Form
- Cooperative Procurement with Other Jurisdictions
- Form 3A: Interest in Competitive Bid for Public Business
- Indemnification/Hold Harmless
- FDEP & U.S. EPA Construction Notices of Intent (NOI)
- Statement of References for Contractor
- Contractor's Statement of Subcontractors to be Used for This Work
- Drug Free Workplace Certification
- Non-Collusive Affidavit
- Public Entity Crime Information
- Statement of "No Bid" (if applicable)
- Bidder Qualification Statement

All required forms are included in this package. All forms must be filled out and returned with the firm's proposal. Failure to do so will result in the firm being considered non-responsive and their proposal will be disallowed.

Mark "N/A" if not applicable to your firm

PROPOSAL BOND

**Not to be completed if a certified check is submitted.*

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned,

David Kuxhausen Construction, LLC as Principal,

and American South Insurance Company as Surety

are held and firmly bound unto the City of Venice, Florida, in the sum of

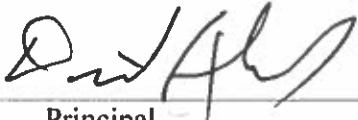
Five Percent of the Amount Bid \$ 5%, for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

The condition of the above obligation is such that if the attached Proposal of Principal and Surety for work specified as:

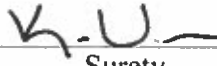
Bid No. 3063-17 Valve Replacement Program Phase II

all as stipulated in said Proposal, by doing all work incidental thereto, in accordance with the plans and specifications provided heretofore, all within Sarasota County, is accepted and the bidder shall within ten (10) days after notice of said award, enter into a contract, in writing, and furnish the required Performance Bond with surety or sureties to be approved by the Director of Purchasing, this obligation shall be void; otherwise the same shall be in full force and virtue by law and the full amount of this Proposal Bond will be paid to the City as stipulated or liquidated damages.

Signed this 9th day of May, 2017.



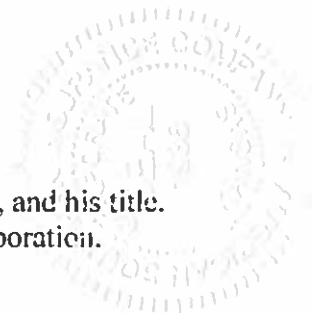
Principal
David Kuxhausen - Owner LLC



Surety
Kevin R. Wojtowicz, Attorney-in-Fact

Principal must indicate whether corporation, partnership, company, or individual.

The person signing shall, in his own handwriting, sign the Principal's name, his own name, and his title. The person signing for a corporation must, by affidavit, show his authority to bind the corporation.



AMERICAN SOUTHERN INSURANCE COMPANY

Domicile: 200 S.W. 30th Street
Topeka, Kansas 66611

Mailing Address: 3715 Northside Pkwy, NW, STE 4-800
Atlanta, Georgia 30327

GENERAL POWER OF ATTORNEY

Know all men by these Presents, that the American Southern Insurance Company had made, constituted and appointed, and by these presents does make, constitute and appoint Charles J. Nielson or David R. Hoover of Miami Lakes, Florida; Kevin R. Wojtowicz, Laura D. Mosholder, or Jessica P. Reno of St. Petersburg, Florida, as its true and lawful attorney for it and its name, place and stead to execute on behalf of the said company, as surety, bonds, undertakings and contracts of suretyship to be given to all obligees provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount of the sum of \$1,000,000 (One Million U.S. Dollars).

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted pursuant to due authorization by the Executive Committee of the Board of Directors of the American Southern Insurance Company on the 26th day of May, 1998:

RESOLVED, that the Chairman, President or any Vice President of the Company be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the American Southern Insurance Company bonds, undertakings and all contracts of suretyship; and that any Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future, with respect to any bond undertaking or contract of suretyship to which it is attached.

In Witness Whereof, the American Southern Insurance Company has caused its official seal to be hereto affixed, and these presents to be signed by its President and attested by its Secretary this 1st day of April, 2016.

Attest:

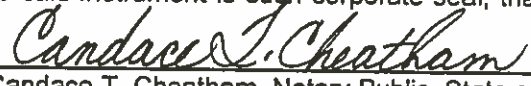

Gail A. Lee, Secretary

American Southern Insurance Company

By: 
Scott G. Thompson, President

STATE OF GEORGIA (CORPORATE SEAL)

On this 1st day of April, 2016, before me personally came Scott G. Thompson, to me known, who being by me duly sworn, did depose and say that he resides in Atlanta, in the County of Fulton, State of Georgia, at 421 Hollydale Court; that he is the President of American Southern Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed and that he signed his name thereto pursuant to due authorization.

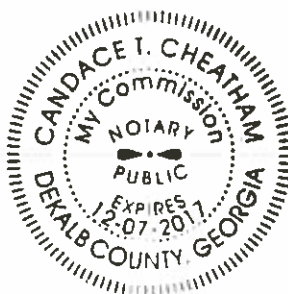

Candace T. Cheatham, Notary Public, State of Georgia
My Commission Expires December 7, 2017


I, the undersigned, a Vice President of American Southern Insurance Company, a corporation domiciled in Kansas, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and, furthermore, that the Resolution of the Executive Committee of the Board of Directors set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Atlanta, Dated the 9th day of May, 2017

(NOTARY SEAL)

POA NUMBER: 87140




Jerry A. Underwood
Vice President - Surety

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HOW DO I DETERMINE "LOCAL PREFERENCE"

The following questions will help you determine local preference for your company. Please answer questions 1 through 4 **FIRST**. If you answer **NO** to any questions 1 through 4, local preference does **NOT** apply. **ONLY** if you answer **YES** to questions 1 through 4, may you proceed to question 5. If you answer **YES** to any questions 5 through 7, local preference applies. If you are unsure of how to answer any questions, please contact the City of Venice's Purchasing Department at 941-486-2626.

Questions 1 – 4

1. Have you paid a local business tax either to Sarasota, DeSoto or Charlotte County (Manatee County does not have a local business tax) authorizing your company to provide goods or services described in this solicitation ?

YES If "yes", proceed to question 2.

NO If "no", **STOP, local preference does not apply.**

* If the name on the local business tax receipt is not the same as the name on the bid/solicitation submittal, local preference does not apply.

2. Does your company maintain a permanent physical business address located within the limits of Sarasota, Manatee, DeSoto or Charlotte County ?

YES If "yes", proceed to question 3.

NO If "no", **STOP, local preference does not apply.**

3. Does your local business office (identified in question 2) have a least one full time employee ?

YES If "yes", proceed to question 4.

NO If "no", **STOP, local preference does not apply.**

4. Do at least fifty percent (50%) of your company employees who are based in the local business location (identified in question 2) reside within Sarasota, Manatee, DeSoto or Charlotte County ?

YES If "yes", proceed to question 5.

NO If no, **STOP, local preference does not apply.**

Questions 5 – 7

5. Is your local business office (identified in question 2) the primary location (headquarters) of your company ?

YES If "yes", **STOP, local preference applies.**

NO If "no", proceed to question 6.

6. If the local business office (identified in question 2) is not the primary location of your company, are at least ten percent (10%) of your company's entire full-time employees based at the local office location ?

YES If "yes", STOP, local preference applies

NO If "no", proceed to question 7

7. If your local business office is not the primary location of your company, does at least one corporate officer, managing partner or principal owner of the company reside in Sarasota, Manatee, DeSoto or Charlotte County ?

YES If "yes", STOP, local preference applies

NO If "no", local preference does not apply.

COOPERATIVE PROCUREMENT WITH OTHER JURISDICTIONS

The vendor, by submitting a bid, authorizes other Public Agencies to "Piggy-Back" or purchase equipment or services being proposed in this invitation to bid at prices bid unless otherwise noted on the proposal sheet.


Yes X No

AUTHORIZED SIGNATURE

By submission of the ITB, the undersigned certifies that:

1. He/She has not paid or agreed to pay any fee or commission, or any other thing of value contingent upon the award of this contract, to any City of Venice, Florida employee or official or to any current consultant to the City of Venice, Florida;
3. The prices contained in this proposal have been arrived at independently and without collusion, consultation, communication or agreement intended to restrict competition.
4. He/She has the full authority of the Offeror or to execute the proposal and to execute any resulting contract awarded as the result of, or on the basis of, the proposal.

Authorized Representative: David Kuxhausen

Signature: 

Title: Owner

Company Name: David Kuxhausen Construction LLC

Address: 4321 Midland Road

City, State, ZIP: Sarasota, FL 34231

Telephone Number: 941-350-7595

Fax Number: N/A

E-mail address: dauidd267@yahoo.com

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Not Applicable

FORM 3A INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME — FIRST NAME — MIDDLE INITIAL Kuxhausen David	OFFICE / POSITION HELD N/A
MAILING ADDRESS 4321 Midland Road	AGENCY N/A
CITY ZIP COUNTY Sarasota, FL 34231	ADDRESS OF AGENCY N/A

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. See Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; AND where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouse's or child's interest and the nature of the intended business. This form has been promulgated by the Commission on Ethics for such disclosure, if and when applicable to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by § 112.313(12)(b), Fla. Stat.)

1. The competitive bid to which this statement applies has been / will be (strike one) submitted to the following government agency:		
2. The person submitting the bid is:	NAME ▼	POSITION ▼
3. The business entity with which the person submitting the bid is associated is:		
4. My relationship to the person or business entity submitting the bid is as follows:		
5. The nature of the business intended to be transacted in the event that this bid is awarded is as follows:		
a. The realty, goods, and / or services to be supplied specifically include: _____		

b. The realty, goods, and / or services will be supplied for the following period of time: _____		
c. Will the contract be subject to renewal without further competitive bidding? <input type="checkbox"/> Yes <input type="checkbox"/> No. If so, how often?		
6. Additional comments:		
7. SIGNATURE	DATE SIGNED	DATE FILED

FILING INSTRUCTIONS

If you are a state officer or employee required to disclose the information above, please file this form with the Department of State in Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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INDEMNIFICATION/HOLD HARMLESS

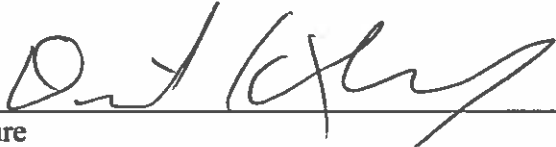
The elected firm shall (if required by City) defend, indemnify and hold the City, the City's representatives or agents, and the officers, directors, agents, employees, and assigns of each harmless for and against any and all claims, demands, suits, judgments, damages to persons or property, injuries, losses or expenses of any nature whatsoever (including attorneys' fees at trial at appellate level) arising directly or indirectly from or out of any negligent act or omission of the elected firm, its Sub-Offers and their officers, directors, agents or employees; any failure of the elected firm to perform its services hereunder in accordance with generally accepted professional standards; any material breach of the elected firm's representations as set forth in the proposal or any other failure of the elected firm to comply with the obligations on its part to be performed under this contract.

I, David Kuxhausen, being an authorized representative of the firm of
David Kuxhausen Construction LLC located at City
SARASOTA, State FLORIDA, Zip Code 34231 Phone:
941-350-7595 Fax: n/a. Having read and

understood the contents above, hereby submit accordingly as of this Date,

MAY 1st, 2017.

David Kuxhausen
Please Print Name


Signature

This signed document shall remain in effect for a period of one (1) year from the date of signature or for the contract period, whichever is longer.

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CITY OF VENICE, FLORIDA
FDEP & U.S. EPA CONSTRUCTION NOTICES OF INTENT (NOI)

The undersigned bidder acknowledges the requirement of the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP) which have published the rules for NPDES General Permits for stormwater discharges from construction sites and said bidder agrees to assist the owner in the preparation of these permits and associated plans. The bidder acknowledges that he has taken these permits and associated construction costs into account in the preparation of his lump sum bid. These permits are mandated under Section 402(p) of the Clean Water Act for "Stormwater Discharge from Construction Activities (including clearing, grading, and excavation activities) that result in the disturbance of five (5) or more acres total land area, including areas that are part of a larger common plan of development or sale." The EPA has published summary guidance for: "Developing Prevention Plans and Best Management Practices" (EPA 833-R-92-001, October 1992).

The EPA permit format is a *Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity to be covered under a NPDES Permit*, and it is to be submitted according to the NOI instructions. The Stormwater Pollution Prevention Plan which must accompany the NOI must be signed by authorized representatives of the contractor and subcontractors as well as the facility Owner. Copies of the EPA NOI must be provided to state and local agencies who have issued stormwater management, grading, or land alteration permits or approvals.

An NOI must also be submitted to the Florida Department of Environmental Protection, NPDES Stormwater Notices Center, MS 2510, 2600 Blair Stone Road, Tallahassee, FL 32399. FDEP forms may be downloaded from the State's web site <http://www.dep.state.fl.us/water/stormwater/npdes/> or phone 850-921-9870 if you have questions.

Acceptance of the bid to which this certification and disclosure applies in no way represents the Owner or its Representative has evaluated and thereby determined that the information is adequate to comply with the applicable U.S. EPA or FDEP requirements nor does it in any way relieve the contractor of its sole responsibility to comply with the applicable U.S. EPA and FDEP requirements, including inspection of all control measures at least once each week and following any storm (rainfall) event of 0.5 inches or greater and maintaining reports of each inspection.

Bidder (Company): David Kuxhausen Construction LLC
Name and Title: David Kuxhausen
Address: 4321 Midland Road
Sarasota, FL 34231
Telephone: 941-350-7595

BY SIGNATURE BELOW OF AUTHORIZED REPRESENTATIVE, CONTRACTOR ACKNOWLEDGES RECEIPT OF A COPY OF CITY ORDINANCES 95-12 and 96-09 AND AGREES TO ABIDE BY THE REQUIREMENTS OF SAID ORDINANCES.

Signature:  Date: 05/01/2017
Printed name/title: _____

ORDINANCE 95-12

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, HEALTH AND SANITATION, ARTICLE IV, DISPOSAL OF EXCRETA, SECTION 9-71, DISCHARGE OF RAW SEWAGE INTO STORMWATER; DELETING ARTICLE V, PROHIBITED STORMWATER DISCHARGES; ADDING CHAPTER 19, WATER AND SEWERS, ARTICLE VI, STORMWATER QUALITY; DELETING CHAPTER 15, STREETS AND SIDEWALKS, ARTICLE IV, EXCAVATIONS, SECTION 15-53, STORM DRAINAGE AND POLLUTION; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, control of stormwater runoff is necessary from individual lots that do not require a permit from the Southwest Florida Water Management District and requiring compliance with the provisions of the Clean Water Act 33 U.S.C.1251 et.seq., as amended by the Water Quality Act of 1987; and

WHEREAS, the City is desirous of complying with its U.S. Environmental Protection Agency National Pollutant Discharge Elimination System Permit and its Stormwater Master Plan, therefore, stormwater runoff and any discharge to the City storm sewer system will be closely monitored and regulated; and

WHEREAS, the control of stormwater runoff is the responsibility of each individual property owner; and

WHEREAS, the City is desirous of controlling stormwater runoff and insuring compliance with the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. Chapter 9, Water and Sewers, Article IV, Disposal of Excreta, Section 9-71, Discharge of Raw Sewage into Storm Sewer, is amended to read as follows:

Sec. 9-71. Discharge of raw sewage into storm sewer.

It shall be unlawful for any person to discharge raw sewage or to discharge the effluent of and from any septic tank into the storm sewer system of the city or to construct or maintain any system of drainage, pipes, conduits or other apparatus whereby raw sewage or the effluent of and from any septic tank shall or may be discharged into or through the storm sewer system of the city.

SECTION 2. Chapter 9, Water and Sewers, Article V, Prohibited Stormwater Discharges, is deleted in its entirety.

SECTION 3. Chapter 19, Water and Sewers, Article VI, Stormwater Quality is added to read as follows:

ARTICLE VI. STORMWATER QUALITY

Sec. 19-141. Definitions.

As used in this article "industrial stormwater" means stormwater runoff from a site with industrial activities, as defined under 40 CFR Section 122.26(a)(14) U.S. Environmental Protection Agency regulation.

As used in this article "construction sites" refers to all sites.

As used in this article, "illicit discharge" is any discharge of anything other than stormwater to the municipal separate storm sewer system (MS4) or the waters of the State of Florida or the United States.

As used in this article "industrial wastewater" refers to liquids used by an entity in their course of business, that if discharged to the MS4, would degrade the quality of stormwater.

Sec. 19-142. Disposal of industrial stormwater discharges.

The following types of discharges to the municipal separate storm sewer of the city must be controlled as indicated.

(1) **Industrial wastewater/illicit discharge:** Industrial wastewater/illicit discharge may not be discharged to the city's municipal separate storm sewer system.

(2) **Industrial stormwater:** As required to comply with NPDES regulations, the quality of industrial stormwater which is discharged through the city's municipal separate storm sewer system may be subject to regulation or permitting, and any violation of such regulation or permit may be subject to an order to immediately cease such discharge.

Sec. 19-143. Runoff stormwater and Best Management Practice (BMPs) for construction sites.

BMPs shall be implemented as necessary, to insure that all discharges from construction activities are in compliance with the City of Venice EPA/NPDES Stormwater Permit and the Stormwater Master Plan, or the SWFWMD Permit or EPA's NPDES Construction Activity General Permit, whichever is most stringent in its requirements.

Best Management Practices include but are not limited to, the following requirements:

- (a) All site grading shall be conducted in such a manner that all stormwater management facilities located adjacent to the site are not altered in any way which will diminish their designated flow or pollutant removal capacity or the shape of the drainage facility.
- (b) Maintenance of vegetative buffers or use of a silt fence and/or staked hay bales which minimize erosion and retain sediment on site, shall be implemented prior to any construction activities taking place at sites which discharge to surface water or the municipal separate storm sewer system (MS4). These controls, when utilized, shall be secured and properly maintained during construction activities until the site has been stabilized with sod and/or seed and mulch. A double silt fence may be required as an additional measure to insure that discharges from the site are in compliance with water quality standards as established by the EPA/NPDES Stormwater Permit. Undisturbed vegetative buffers shall be maintained intact to the maximum extent possible to reduce erosion and the discharge of sediment from stormwater runoff. All areas of exposed soil shall be stabilized within 72 hours of attaining final grade.
- (c) Storm sewer systems (eg. inlets, pipes and ditches, etc.) adjacent to the site must be protected by a silt fence and/or staked hay bales during construction, to keep solids from entering conveyance systems.
- (d) Vehicles such as concrete or dump trucks and other construction equipment shall not be washed at locations where the runoff will flow directly into a lake, wetland, watercourse or stormwater conveyance system. Special areas must be designated for washing vehicles. In all new subdivisions, a wash area may be established by the owner/developer which can be used by the site contractor and home builders. If established, wash areas shall be located where the wash water will spread out and evaporate or infiltrate directly into the ground, or where the runoff can be collected in a temporary holding or seepage basin. Gravel or rock bases are recommended for temporary holding or seepage basins, to minimize mud generation. Underdrains shall be installed where infiltration basins are provided as required by the owner/developer's engineer or the Southwest Florida Water Management District. Upon completion of the project, the wash areas shall be graded and stabilized and any trash or waste shall be collected and disposed of properly.
- (e) Fuel, chemicals, cements, solvents, paints, topsoil, or other potential water pollutants shall be stored in areas where they will not cause runoff pollution. Toxic chemicals and materials, such as pesticides, paints, and acids, must be stored in accordance with manufacturer's guidelines. Groundwater resources shall be protected from leaching by placing a plastic mat, packed clay, tar paper, or other impervious material on any areas where toxic liquids are to be opened and stored.
- (f) A minimum of one permitted driveway must be established prior to construction and shall be used as the only access for ingress/egress during construction in order to provide minimum disturbance of drainage facilities and vegetative cover on site.

Sec. 19-44. Owner responsibility for stormwater runoff.

- (a) The control of stormwater runoff is the responsibility of each individual property owner.
- (b) Any property owner constructing or causing to be constructed any building which requires an elevated slab and the elevation of the building pad is higher than that of adjoining properties, will control stormwater runoff during construction. Likewise, any property that is filled more than twelve inches above the adjacent property must provide additional control measures for stormwater during construction. Upon completion of the work, all stormwater runoff shall flow to its natural preconstruction drainage swale, ditch, etc., or be retained in a retention or detention pond(s) designed and constructed for that purpose.
- (c) For any construction where the elevation of the building pad or site fill will be higher than adjoining properties, construction plans certified by a professional engineer registered with the State of Florida, retained by the property owner, will be provided to the City prior to issuance of a building permit.
- (d) Any single lot not covered under Southwest Florida Water Management District rules, exceeding forty-five percent in impervious coverage (including buildings, drives, sidewalks, patios, etc.) shall require stormwater retention facilities to be designed by a Florida registered engineer. The design is to meet the City of Venice EPA/NPDES Permit requirements for quantity and quality of treatment.
- (e) The property owner's engineer will be required to certify to the City Engineer that construction was completed in accordance with the certified plans, prior to issuance of a Certificate of Occupancy.
- (f) All improvements to property affecting stormwater drainage must be done in compliance with the City's Comprehensive Plan.

Sec. 19-145. Illicit discharges.

It shall be unlawful for any person to discharge anything other than stormwater into the city's municipal separate storm sewer system whether such discharges occur through piping connections, runoff, exfiltration, infiltration,

seepage, or leaks. No person may maintain, use, or establish any direct or indirect connection to any storm sewer owned by the city that results in any discharge in violation of any provision of federal, state, city, or other law or regulation. This provision is retroactive to January 1, 1995, and applies to connections made prior to the effective date of this provision, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

No materials other than those composed entirely of stormwater shall be disposed of, dumped, or spilled into the city's municipal separate storm sewer system, whether such materials are in a solid or liquid form.

Sec. 19-146. Inspections.

It shall be the duty of the city engineer or designee to carry out all inspections, surveillance, and monitoring procedures necessary to determine compliance with this article.

SECTION 4. Chapter 15, Streets and Sidewalks, Article IV, Excavations, Section 15-53, Storm Drainage and Pollution, is deleted in its entirety.

SECTION 5. To the extent of any conflict between the provisions of this Ordinance, and any other Ordinance, Resolution, or Agreement of the City of Venice, Florida, the provisions of this Ordinance shall prevail.

SECTION 6. Severability. If for any reason a provision of this Ordinance or the application thereof to any person, group of persons, or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its adoption, as required by law.

PASSED BY THE COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 23RD DAY OF MAY, 1995.

First Reading: May 9, 1995 - Final Reading: May 23, 1995 - ADOPTION: May 23, 1995

ATTEST: /s/LORI STELZER, CMC, CITY CLERK /S/ MERLE L. GRASER, MAYOR

I, LORI STELZER, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 23rd day of May, 1995, a quorum being present.

WITNESS my hand and the official seal of said City this 24th day of May, 1995.

/S/ LORI STELZER, CMC, CITY CLERK Approved as to form: /S/ ROBERT C. ANDERSON, CITY ATTORNEY

/S/ LORI STELZER, CMC, CITY CLERK Approved as to form: /S/ ROBERT C. ANDERSON, CITY ATTORNEY.

STATEMENT OF REFERENCES
FOR CONTRACTOR

NAME OF CONTRACTOR: David Kuxhausen Construction LLC

BUSINESS ADDRESS: 4321 Midland Road Sarasota, FL 34231

How many years have you been engaged in the business under the present firm name? 3yr 10mo

List previous business experience: 25 years as vice president of Kuxhausen Const. Inc

List at least three construction references:

- (1) Person to contact: Kathleen Weedon, P.E. - City Engineer
Company Name: City of Venice
Address: 401 W. Venice Av. Venice, FL 34285
Telephone: 941-882-7409 Date work performed: 12/2016
- (2) Person to contact: Bryce Kaufman - Project Manager
Company Name: City of Sarasota
Address: 1750 12th Street Sarasota, FL 34236
Telephone: 941-225-4596 Date work performed: 5/16 thru 10/16
- (3) Person to contact: Chris Lepper - Project Manager
Company Name: State College of Florida
Address: 5840 26th St. W Bradenton, FL 34207
Telephone: 941-725-5246 Date work performed: 11/15 thru 1/16
- (4) Person to contact: John Spalding P.E.
Company Name: Stantec / City of Venice
Address: 6900 Professional Pkwy Sarasota, FL 34240
Telephone: 941-882-7331 Date work performed: 9/16 thru 10/16

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**CONTRACTOR'S STATEMENT OF
SUBCONTRACTORS TO BE USED FOR THIS WORK**

NAME OF CONTRACTOR: David Kuxhausen Construction LLC

BUSINESS ADDRESS: 4321 Midland Rd. Sarasota, FL 34231

LIST SUBCONTRACTORS TO BE USED IN THE PROJECT: UNKNOWN @ Bid Time

(1) Company Name: _____

Address: _____

Telephone: _____ Phase of Work Sublet: Ez Valve + Linestop

(2) Company Name: _____

Address: _____

Telephone: _____ Phase of Work Sublet: _____

(3) Company Name: _____

Address: _____

Telephone: _____ Phase of Work Sublet: _____

(4) Company Name: _____

Address: _____

Telephone: _____ Phase of Work Sublet: _____

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DRUG FREE WORKPLACE CERTIFICATION

If identical tie bids exist, preference will be given to the vendor who submits a certification with their bid/proposal certifying they have a drug-free workplace in accordance with Section 287.087, Florida Statutes. The drug-free workplace preference is applied as follows:

IDENTICAL TIE BIDS: Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids, which are equal with respect to price, quality, and service, are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program.

As the person authorized to sign this statement, I certify that this firm complies fully with the following requirements:

- 1) This firm publishes a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) This firm informs employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) This firm gives each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), this firm notifies the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) This firm imposes a sanction on or requires the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) This firm will continue to make a good faith effort to maintain a drug-free workplace through implementation of this section.



Contractor's Name Signature

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NON-COLLUSIVE AFFIDAVIT

State of Florida

County of Sarasota

SS.

David Kuxhausen being first duly sworn, deposes and says that:

1. He/she is the Owner, (Owner, Partner, Officer, Representative or Agent) of David Kuxhausen Construction LLC the Offeror that has submitted the attached Proposal;
2. He/she is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;
3. Such Proposal is genuine and is not a collusive or sham Proposal;
4. Neither the said Offeror nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Offeror, firm, or person to submit a collusive or sham Proposal in connection with the Work for which the attached Proposal has been submitted; or have in any manner, directly or indirectly sought by agreement or collusion, or have in any manner, directly or indirectly,

collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposal Work.

Signed, sealed and delivered in the presence of:

By: [Signature]
David Kuxhausen
(Printed Name)
Owner
(Title)

ACKNOWLEDGEMENT

State of Florida

County of Sarasota

On this 28 day of 4, 2017, before me, the undersigned Notary Public of the State of _____, personally appeared David Kuxhausen and (Name(s) of Individual(s) who appeared before notary) whose name(s) in/are Subscribed to the written instrument, and he/she/they acknowledge that he/she/they executed it.

NOTARY PUBLIC
SEAL OF OFFICE
LISA M. REICH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF185131
Expires 12/22/2018

[Signature]
NOTARY PUBLIC, STATE OF FL
Lisa Reich
(Name of Notary Public: Print, stamp, or type as commissioned)

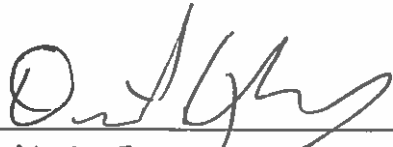
Personally known to me, or Produced Identification: _____ DID take an oath, or DID NOT take an oath

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PUBLIC ENTITY CRIME INFORMATION

A person or affiliate who has been placed on the State of Florida's convicted vendor list following a conviction for a public entity crime may not submit a BID/ITB proposal on a contract to provide any goods or services to a public entity, may not submit a response on a contract with a public entity for services in the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a Contractor, supplier, Sub-Contractor, or Contractor under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in **Section 2876.017, for CATEGORY TWO** for a period of 36 months from the date of being placed on the convicted vendor list.

I, David Kuxhausen, being an authorized representative of the firm of David Kuxhausen Construction LLC, located at City: Sarasota State: Florida Zip: 34231, have read and understand the contents of the Public Entity Crime Information and of this formal BID/ITB package, hereby submit our proposal accordingly.

Signature: 
Phone: 941-350-7595
Federal ID#: 46-3305116

Date: 05/01/2017
Fax: ~ / a

BIDDER QUALIFICATION STATEMENT

(Completion of this statement is required in advance of consideration for award of Contract.)

SUBMITTED TO:

City of Venice
401 West Venice Avenue
Venice, FL 34285

SUBMITTED FOR:

Valve Replacement Program: Phase 11

David Kuxhausen Construction LLC

00451-1

SUBMITTED BY:

Name of Organization: David Kuxhausen Construction LLC
(Print or Type Name of Bidder)

Name of Individual: David Kuxhausen

Title: Owner

Business Address: 4321 Midland Road
Sarasota, Fl 34231

Telephone No.: 941-350-7595

Fax No.: _____

E-mail Address: dauidd267@yahoo.com

Bidder's Website: _____

If address and phone number given above is for a branch office, provide address and phone number of principal home office:

Principal Home Office Address: N/A

Principal Home Office Telephone No.: N/A

Gentlemen:

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter.

(Note: Attach additional sheets as required.)

1.0 Bidder's General Business Information

1.1 Check if:

- Corporation Partnership Joint Venture Other
 Limited Liability Company Sole Proprietorship

If Corporation:

A. Date and State of Incorporation:

N/A

B. List of Executive Officers:

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

If Partnership:

A. Date and State of Organization:

N/A

B. Current General Partners (name and address for each):

C. Type of Partnership

- General Publicly Traded Limited
 Limited Liability Other (describe): _____

If Joint Venture:

A. Date and State of Organization:

N/A

B. Name, Address, Form of Organization, and State of Organization of Each Joint Venture Partner: (Indicate with an asterisk (*) the managing or controlling Joint Venturer if applicable):

If Limited Liability Company:

A. Date and State of Organization:

7/26/2013 - Florida

B. Members:

Name	Address
David Kuxhansen	4321 Midland Road Sarasota, FL 34231

If Sole Proprietorship:

A. Date and State of Organization:

N/A

B. Name and Address of Owner or Owners:

00451-4

If Other Type of Organization: N/A

A. Type of Organization: _____

B. Date and State of Organization:

C. Name and Address of Each Owner or Principal:

1.2 Certifications: In addition to the above categories of business entities, indicate whether Bidder's organization is a:

- Disadvantaged Business Enterprise, certified by _____
- Minority Business Enterprise, certified by _____
- Women's Business Enterprise, certified by _____
- Historically Underutilized Business Zone Small Business Concern, certified by _____

2.0 How many years has your organization been in business as a ~~general~~ contractor?
3 years Certified Underground Utility
And excavation Contractor
CUC 1223727

3.0 If your organizational structure has changed within the past five years, provide data as listed above in Item 1.0 for your previous organization.
N/A

4.0 Do you plan to subcontract any part of this project? Yes If so, give details.
Line Stop And EZ values.

- 5.0 Has any construction contract to which you have been a party been terminated by the owner; have you ever terminated work on a project prior to its completion for any reason; has any surety which issued a performance bond on your behalf ever completed the work in its own name or financed such completion on your behalf; has any surety expended any monies in connection with a contract for which they furnished a bond on your behalf? If the answer to any portion of this question is "yes", furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project.

NO

- 6.0 Has any officer or partner of your organization ever been an officer or partner of another organization that had any construction contract terminated by the owner; terminated work on a project prior to its completion for any reason; had any surety which issued a performance bond complete the work in its own name or financed such completion; or had any surety expend any monies in connection with a contract for which they furnished a bond? If the answer to any portion of this question is "yes", furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project.

NO

- 7.0 In the last five years, has your organization, or any predecessor organization, failed to substantially complete a project in a timely manner? If the answer to this question is "yes", furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project.

NO

- 8.0 On Schedule A, attached, list name, location and description of project, owner, architect or engineer, contract price, percent complete and scheduled completion of the major construction projects your organization has in progress on this date. Provide name, address and telephone number of a reference for each project listed.

Attached

- 9.0 On Schedule B, attached, list name, location and description of project, owner, architect or engineer, contract price, date of completion and percent of work with your own forces of major projects of the same general nature as this project which your organization has completed in the past five years. Provide name, address and telephone number of a reference for each project listed.

Attached

10.0 On Schedule C, attached, list name and construction experience of the principal individuals of your organization directly involved in construction operations.

Attached

11.0 Licenses and Registrations:

11.1 Indicate the jurisdictions in which your firm is legally qualified to practice. Indicate license or registration number for each jurisdiction, if applicable, and type of license or registration. Attach separate sheet as required.

Jurisdiction	License/Registration No.	Type
DBPR	CVC 1223727	Certified
		Underground
		Utility
* Copy Attached		Contractor

11.2 In the past five years, has Bidder had any business or professional license suspended or revoked?

No Yes

If yes, describe on a separate attachment the circumstances, including the jurisdiction and bases for suspension or revocation.

12.0 Provide the following information for your surety:

12.1 Surety Company: American Southern Insurance Company

12.2 Agent: Nielson, Wojtowicz, Neu + Associates

A. Address: 1000 Central Av. St. Pete, FL 33705

B. Telephone No.: 727-258-0809

13.0 Provide the following with respect to an accredited banking institution familiar with your organization.

13.1 Name of Bank: Achieva Credit Union

13.2 Address: 3000 Bee Ridge Road, Sarasota, FL 34239

13.3 Account Manager: Estrella Wilkinson

00451-7

13.4 Telephone No.: 941-907-4000

14.0 Provide the name, address and telephone number of an individual who represents a major equipment/material supplier whom the Owner may contact for a financial reference: Nathan Skipper - Manager
Neff Rental Inc 941-926-7368

15.0 Industry Affiliations, Memberships, Awards, and Honors

15.1 List below the industry organizations with which your organization is affiliated or which your organization is a member:

N/A

15.2 List below the industry awards or honors received by your organization and the date for each. Attach supporting documentation as necessary.

N/A

16.0 Statement of Potential Conflicts of Interest: List below business associations, financial interests, or other circumstances that may create a conflict of interest with the Owner or other entity involved in the Project. Attach additional documentation as required.

None

17.0 Dated at May 1st, this 1st day of May, 2017

Bidder: David Kuxhausen Construction LLC
(Print or Type Name of Bidder)

By: [Signature]
David Kuxhausen

Title: Owner

Attachments A, B and C

(Seal, if corporation)

00451-9

THIS PAGE MUST BE COMPLETED & SUBMITTED WITH OFFER

----- (Affidavit for Individual) -----

N/A being duly sworn, deposes and says that:
a) the financial statement, taken from his/her books, is a true and accurate statement of his/her financial condition as of the date thereof; and b) all of the foregoing qualification information is true, complete, and accurate.

----- (Affidavit for Partnership) -----

N/A being duly sworn, deposes and says that:
a) he/she is a member of the partnership of _____;
b) he/she is familiar with the books of said partnership showing its financial condition;
c) the financial statement, taken from the books of said partnership, is a true and accurate statement of the financial condition of the partnership as of the date thereof; and d) all of the foregoing qualification information is true, complete, and accurate.

----- (Affidavit for Corporation) -----

N/A being duly sworn, deposes and says that: a) he/she is _____ of _____;
(Full name of Corporation)
b) he/she is familiar with the books of said corporation showing its financial condition;
c) the financial statement, taken from the books of said corporation, is a true and accurate statement of the financial condition of said corporation as of the date thereof; and d) that all of the foregoing qualification information is true, complete, and accurate.

----- (Affidavit for Limited Liability Company (LLC)) -----

David Kuxhausen being duly sworn, deposes and says that: a) he/she is owner of David Kuxhausen Construction LLC
(Full name of LLC)
b) he/she is familiar with the books of said company showing its financial condition; c) the financial statement, taken from the books of said company, is a true and accurate statement of the financial condition of said company as of the date thereof; and d) that all of the foregoing qualification information is true, complete, and accurate.

----- (Affidavit for Joint Venture) -----

Each joint venturer shall complete the affidavit appropriate for the joint venturer's type of organization and attach said affidavit to the Bidder Qualifications Statement. Submit separate acknowledgement for each joint venturer's affidavit.

N/A

----- (Acknowledgment) -----

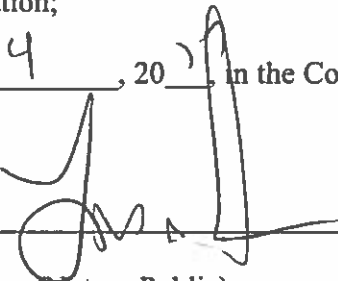
David Kuxhausen being duly sworn, deposes and says that he/she is Owner of DAVID KUXHAUSEN CONSTRUCTION LLC
(Name of Bidder)

that he/she is duly authorized to make the foregoing affidavit and that he/she makes it on behalf of

() himself/herself; () said partnership; () said corporation;

() said joint venture; (X) said limited liability company

Sworn to before me this 28 day of 4, 2017 in the County of Sarasota, State of Florida.


(Notary Public)

My commission expires 12/22/18

(Seal)



LISA M. REICH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF185131
Expires 12/22/2018

++ END OF BIDDER QUALIFICATIONS STATEMENT ++

CITY OF VENICE PROCUREMENT- FINANCE DEPARTMENT

401 W. VENICE AVE. - ROOM # 204
VENICE, FL. 34285 (941) 486-2626
FAX (941) 486-2790

ADDENDUM NO. 1

Date: April 19, 2017

To: All Prospective Bidders

Re: ITB# 3063-17 Valve Replacement Program, Phase 11

This addendum sets forth changes and/or information as referenced and is hereby made part of and should be attached to the subject Contract Documents. Receipt of this Addendum shall be acknowledged below and in the submitted proposal. It shall be the responsibility of each proposer, prior to submitting a proposal, to contact the City of Venice- Procurement- Finance Department to determine if addenda were issued and to make such addenda a part of their proposal.

The following is to clarify and provide additional information requested during the pre-bid meeting held on April 18, 2017 at 2:00 P.M.

Peter Boers, Procurement Manager, opened the meeting

1. **Important dates:** Bids are due May 9, 2017 at 2:00 p.m. at City Hall room #204. Bids are to be delivered to Suite 204 in City Hall. The bid opening will take place in the Community Hall (room #114).
2. The Cut-Off for questions will be April 28, 2017 at 1:00 PM
3. Mr. Boers advised the bidders to read *Instructions to Bidders*. but made note of the following Articles.
4. Article 10 Bid Security - 5% Bid Security is required.
5. Article 11 Contract Times – time to completion is 105 days from NTP.
6. Article 12 Liquidated Damages - Mr. Boers advised that the stipulated damages for this project are \$958 per day.
7. Article 23 Contract Securities - The awarded contractor will be required to provide a Performance and Payment Bond equaling 100% of the contact amount. **EXHIBIT A**

8. Article 24 Contractors Insurance -Mr. Boers reviewed **EXHIBIT B: Insurance Requirements**.
 - a. General Liability -\$1,000,000 per occurrence/1,000,000 aggregate
 - b. Business Auto Liability - \$1,000,000 combined single limit
 - c. Worker's Comp per State Statute
9. Article 29 Local Preference – Local preference is applicable to this bid.
10. Bid Form – Bid Item 7 Mobilization and Demobilization cannot exceed 7.5% of the Subtotal
11. Mr. Boers reviewed the required forms that must be returned with each firm's submittal. These required forms are listed in the Appendix of the bid document. Mr. Boers advised, even if a form does not pertain to said company - to still mark it with a "N/A" and return it with each submittal. Mr. Boers also advised that the *Required Forms List* could be used as a "check off" sheet for firms to use.
12. Bidders are asked to also complete and return the *Bidder's Qualification Statement* with their bid.
13. Mr. John Spalding, the City's Project Manager, reviewed the scope of work and provided a brief overview of the project.

The work under this Contract will include the removal and replacement of four broken valve assemblies, two broken fire hydrant assemblies, and two broken air release valve assemblies; the installation of two insertable valves; and the installation of one line stop. All valves, hydrants, and air release valves included in the work are within the City's potable water distribution system.

The Contractor's responsibilities for each location where work is to be performed shall include but not be limited to preconstruction video; exploratory excavation; customer notification; replacement or installation; testing; and cleanup and restoration.

For valves, fire hydrant assemblies, and air release valve assemblies to be removed and replaced, the Contractor shall be responsible for removing and disposing the existing valve, fire hydrant, or air release valve assembly (including all appurtenances) and for providing and installing all materials required for a complete installation as described in the Invitation to Bid.

For insertable valves and line stops to be installed, the Contractor shall be responsible for providing and installing all materials required for a complete installation as described in the Invitation to Bid.

All information on existing conditions is based on the best available information at the time the Bid Documents were prepared. The Contractor will be responsible for conducting exploratory excavations to verify existing conditions prior to ordering or purchasing materials. The City will not be providing any materials for this Work and will not accept responsibility for any materials purchased by the Contractor that are not used as part of the Work.

The Work will occur within five areas. These areas are shown in the maps and figures included in the Invitation to Bid. Also refer to Section 01010, Summary of Work, for additional requirements.

One shutdown will be permitted for each area. The shutdown restrictions are specified in Table 01010-1, Summary of Work. The shutdown in Area 3 will be restricted to either a single Monday or Tuesday night, beginning no earlier than 9:00 pm and ending no later than 8:00 am the following

morning. For all other areas, the shutdowns will be restricted to a single weekday between 8:30 am and 3:30 pm.

The Bid Documents include testing requirements. Testing requirements include but are not limited to density testing where work occurs within a roadway and bacteriological testing. The Contractor will be required to hire an independent testing lab to perform the required density testing. For bacteriological testing, Bidders shall be aware that all samples must be taken by the FDOH or an employee of a laboratory certified by the FDOH. The Contractor will be required to provide a list identifying all subcontractors, and all subcontractors are subject to approval by the City.

The Bid Documents include restoration requirements. For roadways that are disturbed during construction, restoration shall take place for an entire lane width and shall be rectangular in shape. Refer to the City of Venice *Standard Details, General Notes, and Testing Requirements* (updated January 2017) for additional information on pavement restoration requirements. Where existing curbs are removed or damaged, the restoration shall extend in each direction to the nearest existing joint. For sidewalks that are disturbed, restoration shall take place following existing panel segments. For all other items disturbed during construction, the Contractor shall be responsible for restoring the items to "as-found" or better condition.

The City has obtained a Sarasota County Right of Way Use Permit for the removal and replacement of air release valve ARP03. The Contractor will be responsible for complying all terms of this permit.

14. Mr. Boers opened the floor for bidder's questions. He advised the attendees to follow up in writing if they do not see an answer to their question published in an addendum and to not assume a change is in effect unless published in an addendum.

CLARIFICATIONS:

1. Pavement Restoration Requirements: The City of Venice Pavement Restoration Detail (revised January 2017) is provided. All pavement cuts within City of Venice roadways and alleyways shall conform to these requirements.
2. Question: What permits are required?

The following permits are required:

- City of Venice Site Prep Permit
- City of Venice Right of Way Use Permit
- Sarasota County Right of Way Use Permit

The Contractor will be responsible for obtaining the City of Venice permits. Application forms can be found at <http://www.venicegov.com/forms.asp>. Application fees for these permits will be waived for this project.

The City of Venice has obtained a Sarasota County Right of Way Use Permit for working within Sarasota County right of way for the replacement of ARP03 (100 E Venice Ave). This is

attached. The Contractor will be responsible for complying with all requirements of this permit, including but not limited to notification, inspections, maintenance of traffic, and restoration. This permit is attached.

3. Question: What is the size of the hydrant tee associated with hydrant assembly NE 015?

The tee is an 8"x6" tee.

4. Question: What butterfly valve manufacturers are acceptable?

Henry Pratt Company, DeZurik Inc., and Mueller Co. manufacture acceptable butterfly valves.

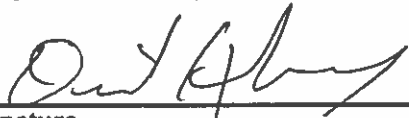
5. Question: Is air release valve ARP03 offset from the water main?

The record data referenced when preparing the Invitation to Bid indicated that the air release valve assembly is located in line with the water main, similar to the current standard detail for below ground air release valves. Bidders are instructed to base their bids on this assumption. If it is found during exploratory excavations that the existing conditions vary, then a change order may be issued to address any changes in price and/or time necessary.

Peter A. Boers
Procurement Department

Acknowledgment is required with your proposal response. A designated management representative of your Company must sign the receipt for this addendum.

Receipt Acknowledged:



Signature

DAVID KUXHAUSEN CONSTRUCTION LLC

Company

05/02/2017

Date

A copy of the addendum (excluding attachments) is to be included with the proposal response.

CITY OF VENICE PROCUREMENT- FINANCE DEPARTMENT

**401 W. VENICE AVE. - ROOM # 204
VENICE, FL. 34285 (941) 486-2626
FAX (941) 486-2790**

ADDENDUM NO. 2

Date: May 1, 2017

To: All Prospective Bidders

Re: ITB# 3063-17 Valve Replacement Program, Phase 11

This addendum sets forth changes and/or information as referenced and is hereby made part of and should be attached to the subject Contract Documents. Receipt of this Addendum shall be acknowledged below and in the submitted proposal. It shall be the responsibility of each proposer, prior to submitting a proposal, to contact the City of Venice- Procurement-Finance Department to determine if addenda were issued and to make such addenda a part of their proposal.

QUESTIONS:

- Q. Will you please clarify the specific location where the contractor will be required to perform the work at night & the designated start/finish times.**
- A. Work within Area 3 that requires a shutdown must be performed at night. The shutdown for Area 3 is restricted to within one of the two 11-hour windows listed below:**
- 1. Within an 11-hour period beginning on a Monday night at 9:00 PM and extending to 8:00 AM on Tuesday morning.**
 - 2. Within an 11-hour period beginning on a Tuesday night at 9:00 PM and extending to 8:00 AM on Wednesday morning.**

Preparatory work outside of this time window will be permitted in order to minimize the actual length of the shutdown.

Night work is not required in any other area.

CLARIFICATION:

Bidders are advised that available record data indicates that asbestos cement pipe (AC pipe) is known to be present in Area 3 at Valve C00-0635 and Hydrant SE 011. At locations where AC pipe is encountered and must be cut, the Contractor shall comply with applicable federal, state, and local codes/regulations for the handling of asbestos containing materials. Within the City of Venice, the Sarasota County Code of Ordinance that regulates the handling and disposal of asbestos—Section 54-119. – Asbestos—is applicable. This section incorporates the requirements of the federal and state regulations.

The cutting and disposal of AC pipe for this project is considered “renovation” work. The material (AC pipe) is non-friable and the amount to be disturbed falls below the threshold for many of the requirements. Thus, the requirements of Section 54-119 can be met by doing the following, at a minimum:

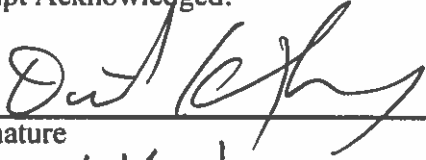
- Adequately wet the pipe to prevent the release of particulates when saw cutting.
- Place the wetted pipe to be disposed within a minimum of two layers of 6-mil plastic bags or wrapping so as to be leak-tight. Label with “Contains Asbestos – Inhalation Hazard” or equivalent language.
- Place the bagged/wrapped pipe in a covered container.
- Maintain a waste shipment record. See https://www.scgov.net/Solid_Waste/Documents/Waste%20Shipment%20Record.pdf for the form used for the Sarasota County Central County Solid Waste Disposal Complex. If a different waste disposal facility is used, consult with the facility’s operators for their requirements.
- Transport from the site and dispose at a landfill that operates in accordance with the EPA Asbestos NESHAP as soon as practical. The Central County Solid Waste Disposal Complex is the nearest facility that the City’s Project Manager is aware of. The Contractor will not be required to use this facility—any waste disposal facility that is EPA Asbestos NESHAP approved may be used. If the Central County landfill is used, bidders should be aware that drop-off must be scheduled at least 24 hours in advance by calling 941-861-5000 and that asbestos is only accepted Monday through Friday from 8:00 AM to 3:00 PM.

Bidders shall include the costs associated with the requirements for handling and disposing AC pipe in their bid prices for *Bid Item 2.03 – Replace Area 3 Valve C00-0635 (12” Butterfly Valve)* and *Bid Item 3.2 – Replace Area 3 Fire Hydrant Assembly SE 011 (Not Including Hydrant Tee)*.

Peter A. Boers
Procurement Department

Acknowledgment is required with your proposal response. A designated management representative of your Company must sign the receipt for this addendum.

Receipt Acknowledged:



Signature

DAVID KUXHAUSEN CONSTRUCTION LLC

Company

05/02/2017

Date

A copy of the addendum (excluding attachments) is to be included with the proposal response.

ATTACHMENT A

SCHEDULE A
PROJECTS IN PROGRESS

<u>Name, Location and Description of Project</u>	<u>Owner</u>	<u>Architect or Engineer</u>	<u>Contract Price</u>	<u>Percent Complete</u>	<u>Scheduled Completion</u>	<u>Reference/Contract Include Address and Phone</u>
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None at bid time.

THIS PAGE MUST BE COMPLETED & SUBMITTED WITH OFFER

PROJECTS COMPLETED

Name, Location and Description of Project	Owner	Architect or Engineer	Date Completed	Contract Price	Percent with Own Forces	Reference/Contract Include Address and
Big Cypress Seminole Indian Res. Conservation Basin Project	Army Corps of Engineers	Sub contracted from Close Const. LLC				
Hard piping for large pump station - 18" - 42" drainage piping.	Chris Close	863-467-0831		\$50,739 ⁰⁰	Completed	4/22/15
First Auto Group - Site work, Drainage Piping, Parking Lot Construction + Asphalt Paving.	CAVOLI ENGINEERING, INC	941-749-1000		\$137,807 ⁰⁰	Completed	3/15/2016

ATTACHMENT B

PROJECTS COMPLETED

Name, Location and Description of Project	Owner	Architect or Engineer	Date Completed	Contract Price	Percent with Own Forces	Reference/Contract Include Address and
Large Meter Replacement						Town of Longboat Key
Replace 4" + 6" potable water meters						
JAWN Florensa			941-316-1988	\$32,000		12/01/15 completed
State College of Florida - South Campus						Parking Lot
Improvements - Stormwater, Grading + Paving of						
A 30 space parking lot				4100 SF of 8" Concrete Paving		
Chris Lepper			941-725-5245	\$98,746		20 -
Completed			1/21/2016			

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ATTACHMENT B

PROJECTS COMPLETED

Name, Location and Description of Project	Owner	Architect or Engineer	Date Completed	Contract Price	Percent with Own Forces	Reference/Contract Include Address and
Valve Replacement Program Phase #8	City of Venice, FL					
Replace Water Main Gate Valves + Fire Hydrants.						
John Spalding - 941-882-7331 - \$89,350						
Stattec Consulting Services Inc.			4/1/2016			
Bayfront Park Force Main Replacement/Lift Station #4						
City of Sarasota, FL - Replace 4" force main thru						
Bayfront Park - Dir. Drill + Open Cut. Lift Station Shut downs.						
Bryce Kaufman - 941-225-4596 \$146,400 ⁸²						
Completed 8/2/2016						

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PROJECTS COMPLETED

Name, Location and Description of Project	Owner	Architect or Engineer	Date Completed	Contract Price	Percent with Own Forces	Reference/Contract Include Address and
Wellfield Park, Ponce DeLeon Enclave, And Police Station	City of Venice, Florida					
Ditch Improvements	Various sites.		1/10/2017	\$125,092.00		
Valve Replacement Program Phase 9	City of Venice	John Spalding	10/17/2016			\$89,850.00
Replacement of Broke Valves on existing water mains	City of Venice	John Spalding		941-882-7331		

Detail by Entity Name

Florida Limited Liability Company
DAVID KUXHAUSEN CONSTRUCTION LLC

Filing Information

Document Number L13000106038
FE/EIN Number 46-3305116
Date Filed 07/26/2013
State FL
Status ACTIVE

Principal Address

4321 MIDLAND ROAD
SARASOTA, FL 34231

Mailing Address

4321 MIDLAND ROAD
SARASOTA, FL 34231

Registered Agent Name & Address

KUXHAUSEN, DAVID D
4321 MIDLAND ROAD
SARASOTA, FL 34231

Authorized Person(s) Detail

Name & Address

Title MGRM

KUXHAUSEN, DAVID D
4321 MIDLAND ROAD
SARASOTA, FL 34231

Annual Reports

Report Year	Filed Date
2014	04/18/2014
2015	05/02/2015
2016	04/27/2016

Document Images

04/18/2014 - 2014 FILING	View image in PDF format
05/02/2015 - 2015 FILING	View image in PDF format
04/27/2016 - 2016 FILING	View image in PDF format

[View page 1 of 2](#) [View page 2 of 2](#)

Licensee Details

Licensee Information

Name: **KUXHAUSEN, DAVID CLARK (Primary Name)
DAVID KUXHAUSEN CONSTRUCTION LLC (DBA
Name)**

Main Address: **4321 MIDLAND RD
SARASOTA Florida 34231**

County: **SARASOTA**

License Mailing:

LicenseLocation:

License Information

License Type: **Certified Underground Utility and Excavation
Contractor**

Rank: **Cert Under**

License Number: **CUC1223727**

Status: **Current,Active**

Licensure Date: **07/25/2002**

Expires: **08/31/2018**

Special Qualifications **Qualification Effective**

Construction **02/20/2004**

Business

Alternate Names

[View Related License Information](#)

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**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**CONSTRUCTION INDUSTRY LICENSING BOARD
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-0783**

(850) 487-1395

**KUXHAUSEN, DAVID CLARK
DAVID KUXHAUSEN CONSTRUCTION LLC
4321 MIDLAND RD
SARASOTA FL 34231**

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

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Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

CUC1223727 ISSUED: 09/04/2016

**CERT UNDERGROUND & EXCAV CNTR
KUXHAUSEN, DAVID CLARK
DAVID KUXHAUSEN CONSTRUCTION LLC**

IS CERTIFIED under the provisions of Ch 489 FS.
Expiration date: AUG 31 2018 L1609040002899

DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD**

LICENSE NUMBER	
CUC1223727	

The UNDERGROUND UTILITY & EXCAVATION CO
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2018

**KUXHAUSEN, DAVID CLARK
DAVID KUXHAUSEN CONSTRUCTION LLC
4321 MIDLAND RD
SARASOTA FL 34231**

