SUBJECT: TIAA BANK FIELD LED SPORTS LIGHTING RETROFIT

BID #: ESC-0435-20

OPEN DATE: 04/08/2020

COMPETITIVE SEALED PROPOSAL EVALUATION COMMITTEE

KIND AND BASIS OF CONTRACT: EVALUATED BID – SIXTY DAYS FROM DATE OF CONTRACT EXECUTION

AGENCY: AMS-JACKSONVILLE

BASIS OF AWARD: HIGHEST SCORE BASED ON EVALUATION CRITERIA

NUMBER OF BIDS INVITED: (7) **NUMBER RECEIVED:** (2) **OTHER:** (1)

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:
Subject RFP was awarded on 4/24/20 to M. Gay Constructors, Inc. (contract #603582-20) in the amount of $1,195,000.00.

Recommend approval to utilize direct purchase of materials in order to realize savings on State sales tax to Martin's Wholesale Distributors, Inc. in the amount of $123,600.00 and Musco Lighting in the amount of $700,000.00. Total sales tax savings is $57,652.00. Total revised award amount is $1,137,348.00.

Also recommend approval to extend the term of the agreement by eight (8) calendar days due to a delayed start. New completion date shall be August 3, 2020.

Funding for this award shall be encumbered from account 32111.133103.565050.001188.00000000.00000.0000000, executed by formal contract amendment through the Office of General Counsel and processed via Purchase Order(s).

ATTACHMENTS: Recommendation Memo, Purchase Order, Tax Exemption, DPM Forms, Supplier Quotes, Previous Award

ANALYST: _____
DAVID KLAGES

RESPECTFULLY SUBMITTED: _____
GREGORY PEASE, CHIEF
PROCUREMENT DIVISION

CONCURRENCE BY: MIKE KENNY, ASSISTANT GENERAL MANAGER, AMS-JACKSONVILLE

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING _____ MEMBERS DISAPPROVING _____ DATE: _____

_____ _____ OTHER: _____

_____ _____

_____ _____

_____ _____

_____ _____

ACTION OF AWARDING AUTHORITY DATE _____

APPROVED _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION _____

TO:	Gregory Pease, Chief of Procurement
FROM:	Michael Kenny ASM
SUBJECT:	Requests for ESC-0435-20 TIAA Bank Field LED Sports Lighting Retrofit
DATE:	May 21, 2020

The purpose of this request is to seek permission to use direct purchases for Martin Wholesale Distributors in the amount of $123,600 and Musco Lighting in the amount of $700,000 as part of the sports lighting project.

Additionally, we request a change to the contract term date as we were unable to start as intended. The updated completion date would be August 3, 2020.

The contract reference number is 603582-20 with M Gay Constructors Inc.

Thanking you in advance for considering our request.

Michael Kenny

Purchase Order 603582-20

Purchase Order	603582-20
Order Date	29-MAY-2020
Change Order	0
Change Order Date	29-MAY-2020
Revision	0
Ordered	1,195,000.00 USD
Requisition Number	
Solicitation Number	ESC-0435-20
All packing slips, invoices, and correspondence must reference the purchase order number	

Sold To
City of Jacksonville
117 West Duval Street
JACKSONVILLE, FL 32202

Supplier
M. Gay Constructors, Inc.
P.O. Box 26249
JACKSONVILLE, FL 32226

Bill To
City of Jacksonville
117 West Duval Street, Suite 375
JACKSONVILLE, FL 32202

Ship To
Jacksonville Municipal Stadium
One TIAA Bank Field Drive
JACKSONVILLE, FL 32202 US

Notes ESC-0435-20: TIAA Bank Field LED Sports Lighting Retrofit

Supplier Number	Payment Terms	Freight Terms	FOB	Shipping Method
21528	Net 30	Freight Prepaid	FOB Destination	Best Way

Buyer
David Klages Email: dklages@coj.net

Line	Item	Price	Quantity	UOM	Ordered	Taxable
1	Replacement of LED lights per ESC-0435-20 32111.133103.565050.001188.00000000.00000.0000000	1,170,000.00				
	Promised				1,170,000.00	
	Requested					
	Requested Date correspond to the date of arrival at the Ship-to Location.					
			Line Total		1,170,000.00	
2	25 year extended warranty per ESC-0435-20 32111.133103.565050.001188.00000000.00000.0000000	25,000.00				

0000000 01/14/17

FLORIDA

Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 10/15

Certificate Number	Effective Date	Expiration Date	Exemption Category
85-8012621607C-8	06/30/2017	06/30/2022	MUNICIPAL GOVERNMENT

This certifies that

CITY OF JACKSONVILLE
117 W DUVAL ST STE 375
JACKSONVILLE FL 32202-5725

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.

FLORIDA

Important Information for Exempt Organizations

DR-14
R. 10/15

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).

2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.

3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.

4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).

5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.

6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

CERTIFICATE OF ENTITLEMENT

(For direct purchase of construction materials by a governmental entity pursuant to 212.08(6), F.S. and Rule 12A-1.094, F.A.C.)

The undersigned authorized representative of City of Jacksonville (hereinafter "Governmental Entity"), Florida Consumer's Certificate of Exemption Number 85-8012621607C-8 affirms that the tangible personal property purchased pursuant to Purchase Order Number 603582-20 from Martin's Wholesale Distributor's, Inc. (Vendor) on or after 5/27/20 (date) will be incorporated into or become a part of a public facility as part of a public works contract pursuant to contract #603582-20 with M. Gay Constructors, Inc. (Name of Contractor) for the construction of TIAA Bank Filed LED Sports Lighting Retrofit.

Governmental Entity affirms that the purchase of the tangible personal property contained in the attached Purchase Order meets the following exemption requirements contained in Section 212.08(6), F.S., and Rule 12A-1.094, F.A.C.:

You must initial each of the following requirements.

MG 1. The attached Purchase Order is issued directly to the vendor supplying the tangible personal property the Contractor will use in the identified public works.

MG 2. The vendor's invoice will be issued directly to Governmental Entity.

MG 3. Payment of the vendor's invoice will be made directly by Governmental Entity to the vendor from public funds.

MG 4. Governmental Entity will take title to the tangible personal property from the vendor at the time of purchase or of delivery by the vendor.

MG 5. Governmental Entity assumes the risk of damage or loss at the time of purchase or delivery by the vendor.

Michael Keaney
AMS - Jacksonville Representative Completing Above Section

6-2-20
Date

Governmental Entity affirms that if the tangible personal property identified in the attached Purchase Order does not qualify for the exemption provided in Section 212.08(6), F.S., and Rule 12A-1.094, F.A.C., Governmental Entity will be subject to the tax, interest and penalties due on the tangible personal property purchased. If the Florida Department of Revenue determines that the tangible personal property purchased tax-exempt by issuing this Certificate does not qualify for the exemption, Governmental Entity will be liable for any tax, penalty and interest determined to be due.

I understand that if I fraudulently issue this certificate to evade the payment of sales tax, I will be liable for payment of the sales tax, plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony.

Under the penalties of perjury, I declare that I have read the foregoing Certificate of Entitlement, and the facts stated in it are true.

Signature of Authorized Representative
(Chief of Procurement Division)

Chief of Procurement
Title

~~DAVID KLAGES~~ Greg Pease
Purchaser's Name (Print or Type)

6/3/20
Date

Federal Employer Identification Number: 596000344

Telephone Number: (904) 255-~~8813~~ 6701

You must attach a copy of the Purchase Order to this Certificate of Entitlement. Do not send to the Florida Department of Revenue. This Certificate of Entitlement must be retained in the vendor's and the contractor's books and records.

CERTIFICATE OF ENTITLEMENT

(For direct purchase of construction materials by a governmental entity pursuant to 212.08(6), F.S. and Rule 12A-1.094, F.A.C.)

The undersigned authorized representative of City of Jacksonville (hereinafter "Governmental Entity"), Florida Consumer's Certificate of Exemption Number 85-8012621607C-8 affirms that the tangible personal property purchased pursuant to Purchase Order Number 603582-20 from Musco Lighting (Vendor) on or after 5/27/20 (date) will be incorporated into or become a part of a public facility as part of a public works contract pursuant to contract #603582-20 with M. Gay Constructors, Inc. (Name of Contractor) for the construction of TIAA Bank Filed LED Sports Lighting Retrofit.

Governmental Entity affirms that the purchase of the tangible personal property contained in the attached Purchase Order meets the following exemption requirements contained in Section 212.08(6), F.S., and Rule 12A-1.094, F.A.C.:

You must initial each of the following requirements.

1. The attached Purchase Order is issued directly to the vendor supplying the tangible personal property the Contractor will use in the identified public works.
2. The vendor's invoice will be issued directly to Governmental Entity.
3. Payment of the vendor's invoice will be made directly by Governmental Entity to the vendor from public funds.
4. Governmental Entity will take title to the tangible personal property from the vendor at the time of purchase or of delivery by the vendor.
5. Governmental Entity assumes the risk of damage or loss at the time of purchase or delivery by the vendor.

Richard Kenny
AMS - Jacksonville Representative Completing Above Section

6-2-20
Date

Governmental Entity affirms that if the tangible personal property identified in the attached Purchase Order does not qualify for the exemption provided in Section 212.08(6), F.S., and Rule 12A-1.094, F.A.C., Governmental Entity will be subject to the tax, interest and penalties due on the tangible personal property purchased. If the Florida Department of Revenue determines that the tangible personal property purchased tax-exempt by issuing this Certificate does not qualify for the exemption, Governmental Entity will be liable for any tax, penalty and interest determined to be due.

I understand that if I fraudulently issue this certificate to evade the payment of sales tax, I will be liable for payment of the sales tax, plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony.

Under the penalties of perjury, I declare that I have read the foregoing Certificate of Entitlement, and the facts stated in it are true.

Signature of Authorized Representative
(Chief of Procurement Division)

Chief of Procurement
Title

~~DAVID KLAGES~~ Greg Pease
Purchaser's Name (Print or Type)

6/3/20
Date

Federal Employer Identification Number: 596000344

Telephone Number: (904) 255-8813

You must attach a copy of the Purchase Order to this Certificate of Entitlement. Do not send to the Florida Department of Revenue. This Certificate of Entitlement must be retained in the vendor's and the contractor's books and records.

February 15, 2011

Martin's Wholesale Distributors, Inc.
1972 Van Sickle Rd.
Jacksonville, Fl 32218
Ph (904) 751-2839
email: martinswholesale01@gmail.com

Estimate

Date	Estimate
5/19/2020	4747

Name / Address
M Gay Constructors, Inc. P. O. Box 26249 Jacksonville, FL 32226

Ship To
M Gay Constructors, Inc. TIAA Bank Stadium Jacksonville, FL

Terms	Project

Item	Description	Qty	Cost	Total
Misc	LED SPORTS LIGHTING PACKAGE REMOTE ELECTRONIC DRIVER ENCLOSURES FOR ALL MUSCO FIXTURES	1	123,600.00	123,600.00T

Thank you for your business.

Subtotal	$123,600.00
Sales Tax (0.00)	$0.00
Total	$123,600.00

Signature _____

Corporate: 100 1st Ave West · PO Box 808 · Oskaloosa, IA 52577 · 641/673-0411 · 800/825-6020 · Fax: 641/673-4852
Manufacturing: 2107 Stewart Road · PO Box 260 · Muscatine, IA 52761 · 563/263-2281 · 800/756-1205 · Fax: 800/374-6402
Web: www.musco.com · **Email:** lighting@musco.com

Proposal

TIAA Bank Stadium – Jacksonville Jaguars NFL LED Lighting
Jacksonville, FL
May 18, 2020

Attention To: City of Jacksonville

LED Sports Lighting Package

- (276) Musco TLC-LED-1400NB fixtures, 5700K 75CRI
- (276) Custom Fixture Mounting Brackets and Hardware
- Musco Project Manager available for consultation during critical times of the installation
- Aiming Technician at completion of installation to ensure fixtures are properly aimed and helllighting targets are achieved.
- Includes Musco's 10 Year Parts and Labor Warranty including guaranteed light levels for 10 years
- Guaranteed light level at 250fc horizontal, 200fc to main camera

Base Bid Quote (Materials Only with Project Management).....$700,000

- 25 Year Warranty Adder.....+$25,000

Notes

- Musco will be the materials supplier only. Price includes delivery to Jobsite but does not include unloading of equipment or installation. This price does not include taxes of the above mentioned product and services.
- Delivery during the week of June 22nd to job site.
- Price is effective for 120 days and is considered confidential
- This price does not include any extra dollars for electrical contractor or electrical distributor markup.

Vaughn Blythe
Key Account Manager
Musco Lighting, LLC.
Vaughn.Blythe@musco.com
641-295-5255 mobile

SUBJECT: TIAA BANK FIELD LED SPORTS LIGHTING RETROFIT

BID #: ESC-0435-20

OPEN DATE: 04/08/2020

COMPETITIVE SEALED PROPOSAL EVALUATION COMMITTEE

KIND AND BASIS OF CONTRACT: EVALUATED BID – SIXTY DAYS FROM DATE OF CONTRACT EXECUTION

AGENCY: AMS-JACKSONVILLE

BASIS OF AWARD: HIGHEST SCORE BASED ON EVALUATION CRITERIA

NUMBER OF BIDS INVITED: (7) **NUMBER RECEIVED:** (2) **OTHER:** (1)

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:
Responses to subject RFP were received on April 8, 2020. Recommend approval to reject Miller Electric Company for not providing the correct Bid Bond amount and for not providing required Form 4 – Business/Corporate References.

Recommend approval to waive product testing from M. Gay Constructors, Inc. per concurrence of the technical advisor and the Project Manager.

Recommend approval of award to the only responsive, responsible respondent, M. Gay Constructors, Inc., for TIAA Bank Field LED Sports Lighting Retrofit. Total estimated award amount not-to-exceed $1,195,000.00. Period of service shall be sixty days from date of contract execution.

Funding for this award shall be encumbered from an account T.B.D., executed by formal contract through the Office of General Counsel and processed via Purchase Order.

ATTACHMENTS: Recommendation Memo, Scoring Matrix, Rejection Letter, Email Concurrence re: Product Testing, EBO Concurrence, Section 1.3

ANALYST: DAVID KLAGES

RESPECTFULLY SUBMITTED: For GREGORY PEASE, CHIEF PROCUREMENT DIVISION

CONCURRENCE BY: BILL MCCONNELL, GENERAL MANAGER, AMS-JACKSONVILLE

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING 5 MEMBERS DISAPPROVING 0 DATE: 4/23/20

OTHER:

ACTION OF AWARDING AUTHORITY DATE 4/24/20

APPROVED ✓ BH DISAPPROVED

OTHER

SIGNATURE OF AUTHENTICATION