

9571-06

CONTRACT
BETWEEN
THE CITY OF JACKSONVILLE
AND
KIRBY DEVELOPMENT, INC.
FOR
LEONID ROAD DRAINAGE IMPROVEMENTS

THIS CONTRACT is executed as of this 8 day of Sept, 2015, by and between the CITY OF JACKSONVILLE, FLORIDA, a municipal corporation in Duval County, Florida, (hereinafter sometimes the "Owner" or the "City"), and KIRBY DEVELOPMENT, INC., a Florida profit corporation with office at 108 Lee Road, Jacksonville, Florida 32225 (hereinafter the "Contractor").

WITNESSETH, that for the consideration and under the provisions hereinafter stated and referred to moving from each to the other of said parties respectively, it is mutually understood and agreed as follows:

1. That Contractor is the lowest and best responsible bidder for furnishing all labor, materials, and equipment and performing all operations necessary for the Leonid Road drainage improvements (the "Project"), including but not limited to reconstructing existing pond bottom and underdrain system, installing new drainage structures and pipes, reconstructing concrete sidewalks, curbs, and gutters, and all other related work, all in accordance with contract drawings, plans, and specifications hereinafter referred to and has been awarded this Contract for said work pursuant to award made July 22, 2015.

2. The Contractor will, at its own cost and expense, do the work required to be done and furnish the materials required to be furnished on said Project in accordance with plans and specifications prepared by Eisman & Russo for the Public Works Department of the City of Jacksonville, bid numbered JCF-0157-15, bid date July 10, 2015, designated *Leonid Road Drainage Improvements*, and strictly in accordance with the advertisement calling for bids, plans, specifications, blueprints, addenda, requirements of the City of Jacksonville, proposal of the said Contractor, and award therefor (hereinafter collectively the "Contract Documents") now on file in the Office of the Chief of the Procurement Division of the City of Jacksonville, all of which

are hereby specifically made a part hereof by reference to the same extent as if fully set out herein for the total amount of ONE HUNDRED THIRTY-SIX THOUSAND FIVE HUNDRED FORTY-THREE AND 97/100 DOLLARS (\$136,543.97), at and for the prices and on the terms contained in the Contract Documents.

3. On the faithful performance of this Contract by the Contractor, the Owner will pay the Contractor in accordance with the terms and on the conditions stated in the Contract Documents.

4. This Contract and all amendments hereto may be executed in several counterparts, each of which shall be deemed to be an original, and all of such counterparts together shall constitute one and the same instrument.


[Remainder of page intentionally left blank. Signature page follows immediately.]

IN WITNESS WHEREOF, the parties hereto have duly executed this Contract in duplicate the day and year first above written.

ATTEST:

CITY OF JACKSONVILLE, FLORIDA

By James R. McCain, Jr.
James R. McCain, Jr.
Corporation Secretary



By Lenny Curry
Lenny Curry, Mayor

OWNER

Sam E. Mousa
Chief Administrative Officer
For: Mayor Lenny Curry
Under Authority of:
Executive Order No. 2015-05

In accordance with Section 24.103(e) of the Ordinance Code of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered, and unimpounded balance in the appropriation sufficient to cover the foregoing agreement, and that provision has been made for the payment of monies provided therein to be paid.

[Signature]
Director of Finance
9571-06
AB

Form Approved:

James R. McCain, Jr.
Office of General Counsel

ATTEST:

KIRBY DEVELOPMENT, INC.

Lisa Kirby
Signature
LISA Kirby
Type/Print Name
Sec/Treas.
Title

Peter B. Kirby
Signature
Peter B. Kirby
Type/Print Name
President
Title

CONTRACTOR



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/10/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cecil W. Powell & Company 219 N. Newnan Street Jacksonville, FL 32202	CONTACT NAME: Dora A Paratore	
	PHONE (A/C, No, Ext): (904) 353-3181 FAX (A/C, No): (904) 353-5722 E-MAIL ADDRESS: dparatore@cwpowellins.com	
INSURED Kirby Development, Inc. 4312 Pablo Professional Court Jacksonville, FL 32224	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Westfield Ins Co	24112
	INSURER B: FCCI Insurance Company	10178
	INSURER C: Great American Insurance Co	16691
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD I WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	CWP4909645	10/10/2014	10/10/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 150,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		CWP4909645	10/10/2014	10/10/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	001WC14A62722	10/10/2014	10/10/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Excess Umbrella		SBE429433200	05/28/2015	05/28/2016	Per Occurrence/Agg 4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Leonid Road Drainage Improvements

The City of Jacksonville is an Additional Insured as respects the General Liability per the attached endorsement.

CERTIFICATE HOLDER City of Jacksonville Rm 225, Ed Ball Building 214 N Hogan St 2nd Floor Jacksonville, FL 32202	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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**ADMINISTRATIVE AWARD
BID No.: JCF-0157-15**

DESCRIPTION OF GOODS/SERVICES:

Recommend approval of award to the lowest responsive, responsible bidder, Kirby Development, Inc., for the Leonid Road Drainage Improvements project, in accordance with the bid documents, in the not to exceed amount of \$136,543.97.

Funding for this award to be encumbered by account PWCP462SD-06505-PW0095-02 in the amount of \$136,543.97 to be executed by formal contract through the Office of General Counsel.

Bonds have been formally waived for this project.

FOR AGENCY/DEPARTMENT: Public Works

REQUISITION NUMBERS: N/A

NUMBER FIRMS SOLICITED: 13

NUMBER FIRMS BIDDING: 4

REASON FOR LESS THAN REQUIRED MINIMUM SOLICITATION/QUOTATION:

N/A

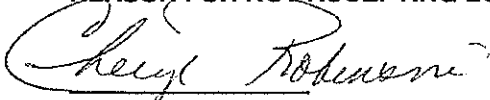
RECOMMEND AWARD TO: Kirby Development, Inc.

CONCURRENCE BY: Steve D. Long, Jr., P.E., Chief, ROW&SM, Department of Public Works

PRICE: \$136,543.97

TERMS: Net 30

REASON FOR NOT ACCEPTING LOW BID:



Buyer

7/20/15
Date



Manager of Purchasing Services

7/21/2015
Date

APPROVAL:


Gregory Pease, Chief, Procurement Division 7/22/15
Date