




Interoffice Memorandum

November 8, 2017

To: Mayor Teresa Jacobs  
and the Board of County Commissioners

From:  Carrie Woodell, Manager, Procurement Division

Contact: Sara Flynn-Kramer, Manager, Capital Projects Division  
(407) 836-0048

Subject: Award of Invitation for Bids Y18-707-CC, Orange County  
Courthouse Exterior Building Protection Modifications

ACTION REQUESTED:

Approval to award Invitation for Bids Y18-707-CC, Orange County Courthouse Exterior Building Protection Modifications, to the sole responsive and responsible bidder, Café Construction & Development, Inc. in the total contract award amount of \$238,000.

PROCUREMENT:

The project involves the installation for a new electrified bird deterrent track system on exposed ledges, walls, and rooftops to protect the building envelope at the Courthouse Complex. This project is located in District 5.

FUNDING:

Funding is available in account number 1248 043 2066 3810.

APPROVALS:

The Capital Projects Division and Business Development Division concur with this recommendation.

REMARKS:

A single bid was received in response to the Invitation for Bids and was evaluated for responsiveness, responsibility, and price reasonableness. To ensure an open and competitive bid process, the Invitation for Bids was posted on the Orange County website. Queries from staff to the other potential bidders who declined to compete on this project resulted in the following findings:

**Gulfshore Bird Away** stated they would be working together with Café Construction & Development, Inc. on the project as a subcontractor.

**Avian Flyaway, Inc.** didn't agree with the specified bird deterrent system.

**Mulligan Constructors, Inc.** were too busy to fit the project into their schedule.

**Axios Construction Services, LLC** said they have too many ongoing projects.

**Core Engineering & Construction, Inc.** stated they did not have the time or resources to dedicate to this project.

The Orange County Courthouse has become an attractant for migratory turkey vultures. The birds circle the 23-story building at different periods throughout the year and roost on the various outcroppings, ledges, roofs and window openings. Many times the birds will bring their sustenance and eat on the various platforms available to them. The uneaten portions are left to decay causing cleanliness problems, as well as potential health issues. The birds also peck and pull at the building sealant located around the windows and between the pre-cast concrete structure of the building. This sealant is the water proofing layer that keeps moisture out of the building. In 2015, a project was completed by the County where the damaged sealant on the upper levels along with specific areas on lower levels was removed and replaced. Without the installation of a functioning bird deterrent system, the Courthouse will once again become penetrable by water causing a host of additional issues on the interior structure which may in turn translate to disruptions in the daily operation of the facility.

Staff negotiated with Café Construction & Development, Inc., who confirmed their understanding of the scope of work and reduced their bid by \$20,300, to make their negotiated bid amount \$238,000. Based on technical review by staff and the design consultant, the bid is considered reasonable. Café Construction & Development, Inc. has a satisfactory record of performance and has been determined to be responsible. Therefore, award is recommended to Café Construction & Development, Inc.

<u>Bids Received:</u>	<u>Base Bid</u>
Café Construction & Development, Inc.	\$238,000



**BUSINESS DEVELOPMENT DIVISION**

November 2, 2017

**TO:** Corie Cummings, Senior Contract Administrator  
Procurement Division

**FROM:** Dexter Watts, Senior Contract Administrator *DW*  
Business Development Division

**SUBJECT:** Business Development Division Bid Evaluation

**PROJECT:** **Y18-707-CC / Orange County Courthouse Exterior Building Protection Modifications**

The Business Development Division evaluated the one bid submitted for this project and found the apparent low bidder Orange County MWBE firm Café Construction & Development, Inc. is bidding as a prime. Therefore, Café Construction & Development, Inc. is required to self-perform no less than 51% of the contract per Sec. 17-321 in the M/WBE Ordinance. In the event this requirement is not achieved, then other M/WBE's will have to be included to achieve the 25% M/WBE goal. Café Construction & Development, Inc. met the MWBE participation goal and reported self-performing 52.02%. They also reported 6.72% other MWBE participation in their bid. Please note the following certified MWBE participation:

Mbe-hm	Café Construction & Development, Inc.	\$123,805 (52.02%)
Mbe-hm	M&M Electric of Central Florida	\$15,995 (6.72%)
<b>Total MWBE Participation</b>		<b>\$139,800.00 (58.74%)</b>

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.

c: Sheena Ferguson, Manager, Business Development Division

**BID COMPARISON**

**Y18-707 / Orange County Courthouse Exterior Building Protection Modifications**

<b>Rank</b>	<b>Bidder</b>	<b>Bid Amount</b>	<b>Prime MWBE \$'s in the Bid</b>	<b>Sub-contractor M/WBE \$'s in Bid</b>	<b>% Prime MWBE self-performing (Goal 51%)</b>	<b>% Sub-contractor M/WBE (Goal 25%)</b>	<b>Total MWBE %</b>	<b>GFE</b>	<b>\$ Over Low Bid</b>	<b>% Difference From Low Bid (7%)</b>	<b>\$ Over 2nd Low Bid</b>	<b>% Difference From 2nd Low Bid</b>	<b>EEO % M / W</b>
Low Bid	Café Construction & Development, Inc. [mbe-hm]	\$238,000	\$123,805	\$15,995	52.02%	6.72%	58.74%	na					33/0