




November 15, 2023

To: Mayor Jerry L. Demings
-AND-
County Commissioners

 Carrie Mathes, CFCM, NIGP-CPP, CPPO, C.P.M., Manager II,
Procurement Division

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

Subject: Award of Invitation for Bids Y24-706-ZR, Parks Killarney Station Septic
System Upgrade to Sanitary

ACTION REQUESTED:

Approval to award Invitation for Bids Y24-706-ZR, Parks Killarney Station Septic System Upgrade to Sanitary, to the low responsive and responsible bidder, RCM Utilities, LLC, in the total contract award amount of \$647,355.

In the event the bidder recommended above fails to achieve timely compliance with pre-award deliverables, as defined in the Invitation for Bids, including, but not limited to, M/WBE participation sub-contract agreements, State Division of Corporations registration, E-verify, insurance and bonds, further request authorization for the Procurement Division to award to the next low responsive and responsible bidder as listed in the bid tabulation herein, to the extent practicable and advantageous to the County.

PROCUREMENT:

Work under this contract consists of removing two on-site sewage disposal systems, placing a gravity collection, accommodate two new lift stations, and extending the force main within the park, connecting to the existing City of Oakland lift station. The project is located in District 1.

FUNDING:

Funding is available in account number 1023-043-0263-3810.

APPROVALS:

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

REMARKS:

Seven bids were received in response to the Invitation for Bids (IFB) and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by AP Construction Contractor, LLC was deemed non-responsive for failure to provide the Bid

Bond required in the IFB. The bids submitted by SanPik, Inc., CCC Site Development, and Close Construction Services, LLC were deemed non-responsive by the Procurement Division, based on the analysis by the Business Development Division, which identified that the M/WBE participation goal were not achieved, and sufficient good faith effort documentation were not provided. The bid submitted by RCM Utilities, LLC is considered reasonable based on current market. References provided were satisfactory for this type of work and RCM Utilities, LLC has been determined to be responsible. Therefore, award is recommended to RCM Utilities, LLC.

The bid tabulation is as follows:

Bidder	Total Bid Amount
RCM Utilities, LLC	\$647,355
Uribe Site Development, Inc.	\$780,000
Cathcart Construction Company Florida, LLC	\$948,000
AP Construction Contractor, LLC	Non-Responsive
SanPik, Inc.	Non-Responsive
CCC Site Development	Non-Responsive
Close Construction Services, LLC	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

November 29, 2023

TO: Zuleimy Ralat Perez, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y24-706-ZR, Parks Killarney Station Septic System Upgrade to Sanitary**

The Business Development Division evaluated five bids submitted for this project. The Business Development Division completed a M/WBE Availability Analysis. The scope of services for this project had M/WBE availability. As a result, the M/WBE goal remained at 25%. At the time of bid opening; at least 81 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by RCM Utilities, LLC, did not include the Contract and Sub-Contract Goal Participation Schedule form. The Good Faith Effort exception form listed 90% of the work to be historically performed in house, however Business Development was unable to determine the remaining percentage for the scope of work available.

Business Development issued a Submittal of Clarification email request on October 18, 2023, for the apparent low bidder to submit:

- Contract and Sub-Contract Goal Participation Schedule form
- Good Faith Effort Form Action #1, #2, #3, #4, and #5

As of October 20, 2023, the apparent low bidder responded and submitted:

- Contract and Subcontract Goal Participation Schedule form
- Resubmitted the Equal Employment Opportunity Workforce Schedule form

Sheena Ferguson

Interoffice Memorandum

The Contract and Sub-Contract Goal Participation Schedule form was received denoting M/WBE subcontractor scope of work. Therefore, M/WBE participation was included, RCM Utilities, LLC, reported 25.07% in M/WBE participation. The apparent low bid met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	On Point Surveying	\$12,830.00
WBE-WF	Florida Surety Bonds	\$12,947.10
WBE-WF	Aristocuts Lawn & Garden	\$16,250.00
MBE-AFAM	AEG Environmental Services	\$18,250.00
MBE-AFAM	Prime Electrical Services	\$37,500.00
WBE-WF	The Pipe & Nipple Supply	\$46,109.27
MBE-HM	Corcel Corp	\$18,425.00
Total MWBE Participation		\$162,311.37 (25.07%)

The second low bid, submitted by SanPik, Inc., reported 1.65% in M/WBE participation. The second low bid did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**.

Business Development issued a Submittal of Clarification email request on October 18, 2023, for the second low bidder to submit:

- Good Faith Effort Form Action #1, #2, #3, #4, and #5

As of October 19, 2023, the apparent low bidder responded and submitted:

- Contract and Subcontract Goal Participation Schedule form
- Good Faith Effort Form
- Equal Employment Opportunity Workforce Schedule form
- Good Faith Effort Action #1- Bidder provided email documentation.
- Good Faith Effort Action #2- Bidder submitted documentation.
- Good Faith Effort Action #3- Bidder submitted documentation.
- Good Faith Effort Action #4- No documentation submitted.
- Good Faith Effort Action #5- Bidder submitted an email.

The bidder indicated that they have historically performed (71% In-house) the scope of services denoted on the Good Faith Effort exception form. **Per the Ordinance**, Sec. 17-321, A prime contractor is not required to subcontract out work that it has historically and consistently performed with its own work force. Good Faith Effort documentation was not achieved on the remaining 29% of the scopes of services. Please note the following certified M/WBE participation:

MBE-HM	On Point Surveying	\$12,830.00
Total MWBE Participation		\$12,830.00 (1.65%)

The third low bid, submitted by Orange County MBE firm Uribe Site Development, Inc., is bidding as a Prime contractor. Therefore, Uribe Site Development, Inc. is required to self-perform no less than 51% of the contract per Sec. 17-321 per the M/WBE Ordinance. In the event this requirement is not achieved, other M/WBE's will have to be included to achieve the 25% M/WBE goal. Uribe Site Development, Inc. reported self-performing 77.18% with 0% subcontractor's participation. Please note the following certified M/WBE participation:

MBE-HM	Uribe Site Development	\$602,000.00
Total MWBE Participation		\$602,000.00 (77.18%)

The fourth low bid, submitted by CCC Site Development, reported 8.17% in M/WBE participation. The fourth low bid did not meet the Orange County M/WBE participation goal **per the Ordinance requirement.**

Business Development issued a Submittal of Clarification email request on October 24, 2023, for the fourth low bidder to submit:

- Contract and Sub-Contract Goal Participation Schedule form
- Equal Employment Opportunity form
- Good Faith Effort Form Action #1, #2, #3, #4, and #5

As of October 26, 2023, the apparent fourth low bidder responded and submitted:

- Contract and Subcontract Goal Participation Schedule form
- Equal Employment Opportunity Workforce Schedule form
- Good Faith Effort Form
- Good Faith Effort Action #1- No documentation submitted.
- Good Faith Effort Action #2- No documentation submitted.
- Good Faith Effort Action #3- No documentation submitted.
- Good Faith Effort Action #4- No documentation submitted.
- Good Faith Effort Action #5- No documentation submitted.

Therefore, M/WBE participation remained at 8.17% and did not meet the Orange County M/WBE participation goal **per the Ordinance requirement.** On the Good Faith Effort exception form, the bidder indicated that they have historically performed (60% In-house) the scope of services. **Per the Ordinance, Sec. 17-321,** a prime contractor is not required to subcontract out work that it has historically and consistently performed with its own workforce. Good Faith Effort documentation was not achieved on the remaining 40% of the scopes of services.

Please note the following certified M/WBE participation:

WBE-WF	Florida Surety Bonds	\$20,342.76
WBE-WF	The Pipe Nipple & Supply	\$46,109.27
Total MWBE Participation		\$66,452.03 (8.17%)

The fifth low bid, submitted by Close Construction Services, LLC, reported 0% in M/WBE participation. The fifth low bid did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**.

Business Development issued a Submittal of Clarification email request on October 27, 2023, for the fifth low bidder to submit:

- Good Faith Effort Form Action #1, #2, #3, #4, and #5

As of October 27, 2023, the apparent fifth low bidder responded and submitted:

- Contract and Subcontract Goal Participation Schedule form
- Equal Employment Opportunity Workforce Schedule form
- Good Faith Effort Form
- Good Faith Effort Action #1- Bidder provided insufficient email documentation.
- Good Faith Effort Action #2- Bidder submitted documentation.
- Good Faith Effort Action #3- Bidder submitted documentation.
- Good Faith Effort Action #4- No documentation submitted.
- Good Faith Effort Action #5- Bidder submitted an email.

Therefore, M/WBE participation remained at 0% and did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**. Good Faith Effort (GFE) was not achieved **per the Ordinance requirement** if the M/WBE goal is not met.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. Attached is a spreadsheet reconciling the bidders' compliance with the Invitation for Bid's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.

Also, I confirm my recommendation is free of conflicts of interest.

cc: Sheena Ferguson, Manager, Business Development Division

BID COMPARISON

Y24-706-ZR / Parks Killarney Station Septic System Upgrade to Sanitary

Rank	Bidder	Bid Amount	Prime MWBE \$'s in the Bid	Sub-contractor M/WBE \$'s in Bid	% Prime MWBE self- performing (Goal 51%)	% Sub- contractor M/WBE (Goal 25%)	Total MWBE %	GFE	EEO % M / W
Low Bid	RCM Utilities, LLC	\$647,355.00	\$0.00	\$162,311.37	0.00%	25.07%	25.07%	N/A	2 / 8 %
2nd Low	SanPik, Inc.	\$779,521.00	\$0.00	\$12,830.00	0.00%	1.65%	1.65%	No	35 / 4 %
3rd Low	Uribe Site Development, Inc.	\$780,000.00	\$602,000.00	\$0.00	77.18%	0.00%	77.18%	N/A	80 / 20 %
4th Low	CCC Site Development	\$813,702.10	\$0.00	\$66,452.03	0.00%	8.17%	8.17%	No	88 / 24 %
5th Low	Close Construction Services, LLC	\$831,874.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	No	18 / 18 %