



September 28, 2023

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

~~From:~~ Carrie Mathes, CFM, 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 Y23-7002-CR, Binion Road Widening at Magnolia
Park

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-7002-CR, Binion Road Widening at Magnolia Park to the low responsive and responsible bidder, C. Pearson Contracting, Corp, in the total contract award amount of \$439,999.30, inclusive of additive number one.

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 widening the section of Binion Road that leads into Magnolia Park. This work is necessary to improve the safety of this newly widened section of road and includes Additive number one to replace the existing base with 15" deep concrete base. The project is located in District 2.

FUNDING:

Funding is available in account number 1023-021-0332-6310.

APPROVALS:

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

REMARKS:

Three bids were received in response to this Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. C. Pearson Contracting, Corp has a

satisfactory record of performance for this type of work and has been determined to be responsible. Therefore, award is recommended to C. Pearson Contracting, Corp.

The bid tabulation is as follows:

<u>Bidder:</u>	<u>Total Bid:</u>
C. Pearson Contracting, Corp	\$414,999.30
Additive #1	\$25,000.00
Total Bid	\$439,999.30
Garcia Civil Contractors	\$600,291.32
Additive #1	\$124,010.46
Total Bid	\$724,301.78
APEC LLC.	\$1,158,325.00
Additive #1	\$1,000,000.00
Total Bid	\$2,158,325.00



BUSINESS DEVELOPMENT DIVISION

August 17, 2023

TO: Cassandra Reyes, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y23-7002-CR / Binion Road Widening at Magnolia Park (Base Bid plus Additive #1)**

The Business Development Division evaluated three 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 56 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Orange County MBE firm C. Pearson Contracting Corp, is bidding as a Prime contractor. Therefore, C. Pearson Contracting Corp 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. C. Pearson Contracting Corp reported self-performing 70.45% with 23.86% subcontractor's 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-AFAM	C. Pearson Contracting	\$309,999.34
MBE-HM	EM Paving	\$105,000.00
Total MWBE Participation		\$414,999.34 (94.32%)

Sheena Ferguson

Interoffice Memorandum

The second low bid, submitted by Orange County MBE firm Garcia Civil Contractors, is bidding as a Prime contractor. Therefore, Garcia Civil Contractors 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. Garcia Civil Contractors reported self-performing 65.18% with 3.05% subcontractor's 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	Garcia Civil Contractors	\$472,075.28
MBE-HM	On Point Surveying	\$7,060.00
MBE-HM	TransPremier, LLC	\$15,000.00
Total MWBE Participation		\$494,135.28 (68.22%)

The third low bid, submitted by APEC LLC, reported 13.42% in M/WBE participation. The M/WBE participation doesn't meet the Orange County M/WBE participation goal of 25% **per the Ordinance requirement**.

Business Development issued a Submittal of Clarification email request on August 10, 2023, for the third low bidder to submit:

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

On August 11, 2023, the third low bidder responded and submitted:

- Updated Contract and Sub-Contract Goal Participation Schedule 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, additional M/WBE participation can be included from the updated Contract and Sub-Contract Goal Participation Schedule form. The M/WBE participation increased to 25% and met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	GDI	\$539,581.25
Total MWBE Participation		\$539,581.25 (25%)

Interoffice Memorandum

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**Y23-7002-CR / Binion Road Widening at Magnolia Park (Base Bid plus Additive #1)**

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	C. Pearson Contracting Corp	\$439,999.30	\$309,999.34	\$105,000.00	70.45%	23.86%	94.32%	N/A	57 / 29 %
2nd Low	Garcia Civil Contractors	\$724,301.78	\$472,075.28	\$22,060.00	65.18%	3.05%	68.22%	N/A	100 / 5 %
3rd Low	APEC LLC	\$2,158,325.00	\$0.00	\$539,581.25	0.00%	25.00%	25.00%	N/A	76 / 8%