



Legislation Text

File #: 24-1012, **Version:** 1

Interoffice Memorandum

DATE: July 2, 2024

TO: Mayor Jerry L. Demings and County Commissioners

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

CONTACT: Lindy A. Wolfe, P.E., LEED AP, Manager II, Utilities Engineering Division

PHONE: 407-254-9918

SUBJECT: Award of Invitation for Bids Y24-770-GV, Southern Regional Water Supply Facility Stormwater Improvements

ACTION REQUESTED:

Approval to award Invitation for Bids Y24-770-GV, Southern Regional Water Supply Facility Stormwater Improvements, to the low responsive and responsible bidder, Stage Door II, Inc., in the total contract award amount of \$198,650.

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. ([Utilities Department Engineering Division] Procurement Division)

PROCUREMENT:

Work under this contract consists of installation of at least 1,000 feet of 24-inch diameter pipeline to direct stormwater from the site to the surrounding wetlands, protecting the fence line. The project is located in District 4.

FUNDING:

Funding is available in account number 4420-038-1498-0023-6340.

APPROVALS:

The Utilities Engineering and Business Development Divisions concur with this recommendation.

REMARKS:

Five bids were received in response to the Invitation for Bids (IFB) and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by CCC Site Development was deemed non-responsive for failure to submit the documents required in the IFB. The bid submitted by W.T. Comp, Inc. was deemed non-responsive by the Procurement Division, based on the analysis provided by the Business Development Division, which identified that the M/WBE participation goal was not achieved, and sufficient good faith effort documentation was not provided. References provided were satisfactory for this type of work and Stage Door II, Inc. has been determined to be responsible. Therefore, the award is recommended to Stage Door II, Inc.

The bid tabulation is as follows:

Bidder	Bid Total
Stage Door II, Inc.	\$198,650
Cathcart Construction Company	\$248,000
APEC, LLC	\$299,905
CCC Site Development	Non-Responsive
W.T. Comp, Inc.	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

May 31, 2024

TO: Gerson Vazquez, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT: Y24-770-GV, Utilities Southern Regional Water Supply Facility
Stormwater Improvements (Revised)**

The Business Development Division evaluated four bids submitted for this project. The Business Development Division completed an M/WBE Availability Analysis. The scope of services for this project had limited M/WBE availability. As a result, the M/WBE goal was reduced from 25% to 14%. At the time of bid opening, at least 28 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Stage Door II, Inc., reported 0% in M/WBE participation. The apparent 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 May 22, 2024 for the apparent low bidder to submit:

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

As of May 23, 2024, the apparent low bidder responded and submitted:

- Good Faith Effort Form
- Good Faith Effort Email documentation
- Good Faith Effort Action #1- No documentation provided.
- Good Faith Effort Action #2- Bidder provided documentation.
- Good Faith Effort Action #3- No documentation provided.
- Good Faith Effort Action #4- No documentation provided.
- Good Faith Effort Action #5- Bidder provided documentation.

Sheena Ferguson 5.31.2024

The bidder indicated that they have historically performed (100% 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.

The second low bid, submitted by Cathcart Construction Company reported 14.42% in M/WBE participation. The second low bid met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	La Costa Sod	\$2,000.00
MBE-AM	Sunrise Hauling & Excavating	\$5,000.00
WBE-WF	Florida Surety Bonds	\$3,500.00
WBE-WF	KMG Fence	\$11,000.00
WBE-WF	JML Advertising	\$750.00
MBE-HM	Diversified Supply	\$13,500.00
Total MWBE Participation		\$35,750.00 (14.42%)

The third low bid, submitted by Orange County WBE firm W.T. Comp, Inc. is bidding as a Prime contractor. Therefore, W.T. Comp, 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 14% M/WBE goal. W.T. Comp, Inc. reported self-performing 22.44% with 0% subcontractor's participation.

Business Development issued a Submittal of Clarification email request on May 22, 2024 for the third low bidder to submit:

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

As of May 24, 2024 the third low bidder provided no response.

- Good Faith Effort Action #1- No documentation provided.
- Good Faith Effort Action #2- No documentation provided.
- Good Faith Effort Action #3- No documentation provided.
- Good Faith Effort Action #4- No documentation provided.
- Good Faith Effort Action #5- No documentation provided.

The third low bid did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

WBE-AF	W.T. Comp, Inc.	\$62,035.34
WBE-AF	W.T. Comp, Inc. *(Not certified in the following scopes of work grubbing, erosion control, pipe & inlet installation, trenching, dewatering)	\$131,953.71
Total MWBE Participation		\$62,035.34 (22.44%)

*Not currently Orange County certified in the following scopes of work grubbing, erosion control, pipe & inlet installation, trenching, dewatering)

The fourth low bid, submitted by APEC, LLC, reported 13.97% 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 May 22, 2024 for the fourth low bidder to submit:

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

As of May 23, 2024 the fourth low bidder responded and submitted:

- Updated Contract and Subcontractor Participation form
- Good Faith Effort Action #1- No documentation provided.
- Good Faith Effort Action #2- No documentation provided.
- Good Faith Effort Action #3- No documentation provided.
- Good Faith Effort Action #4- No documentation provided.
- Good Faith Effort Action #5- No documentation provided.

The fourth low bid, submitted by APEC, LLC, reported 14.42% in M/WBE participation. The fourth low bid met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	German Delaware Inc.	\$41,986.70
Total MWBE Participation		\$41,986.70 (14.42%)

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**Y24-770-GV, Utilities Southern Regional Water Supply Facility Stormwater Improvements**

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 14%)	Total MWBE %	GFE	EEO % M / W
Low Bid	Stage Door II, LLC	\$198,650.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	N/A	69 / 6 %
2nd Low	Cathcart Construction Company	\$248,000.00	\$0.00	\$35,750.00	0.00%	14.42%	14.42%	N/A	58 / 4 %
3rd Low	W.T. Comp	\$276,416.38	\$62,035.34	\$0.00	22.44%	0.00%	22.44%	No	92 / 15 %
4th Low	APEC, LLC	\$299,905.00	\$0.00	\$41,986.70	0.00%	14.00%	14.00%	N/A	87 / 9 %