



April 28, 2023

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

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

Contact: Elizabeth White, Project Manager, Roads and Drainage Division  
407-836-7751

Subject: Award of Invitation for Bids Y23-753-EB, Old Cheney Highway Drainage  
Improvements and Utility Relocation

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-753-EB, Old Cheney Highway Drainage Improvements and Utility Relocation, to the low responsive and responsible bidder, Cathcart Construction Company-Florida, LLC, in the total contract award amount of \$3,134,038.

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:

This project will address flooding problems along Old Cheney Highway by improving stormwater conveyance with the construction of approximately 2,467 linear feet of new storm sewer pipe with associated inlets and manhole structures including utility relocations. This project is located in District 5.

FUNDING:

Funding is available in account numbers 1004-072-3010-6330, 4420-038-1504-0081-6345 and 4420-038-1782-0067-6345.

Award of Invitation for Bid Y23-753-EB, Old Cheney Highway Drainage Improvements and Utility Relocation

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APPROVALS:

The Roads and Drainage Division, Utilities Engineering Division, and Business Development Division concur with this recommendation.

REMARKS:

Six bids were received in response to this Invitation for Bids (IFB) and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by Stage Door II, Inc. was deemed non-responsible for failing to meet the reference requirements. Timely protests were filed by Carr & Collier, Inc. and Stage Door II, Inc. In accordance with the Procurement Ordinance, a protest review was held by the Procurement Manager on April 24, 2023. The protest of Carr & Collier, Inc. was denied, and the protest of Stage Door II, Inc. was rescinded by the protestor. No appeals were received. Cathcart Construction Company–Florida, LLC’s bid is considered reasonable based on the engineer’s estimate and current market factors. References provided were satisfactory for this type of work and Cathcart Construction Company–Florida, LLC has been determined to be responsible. Therefore, award is recommended to Cathcart Construction Company–Florida, LLC.

The bid tabulation is as follows:

<b>BIDDER</b>	<b>ESTIMATED TOTAL Lot A</b>	<b>ESTIMATED TOTAL Lot B</b>	<b>ESTIMATED TOTAL Lot A + B</b>
Cathcart Construction Company – Florida, LLC	\$1,818,033	\$1,316,005	\$3,134,038
Carr & Collier, Inc.	\$2,278,299	\$1,138,754	\$3,417,053
Valencia Construction Group	\$1,810,109	\$1,615,761	\$3,425,870
Prime Construction Group, Inc.	\$2,065,308	\$1,383,135	\$3,448,443
Schuller Contractors, Inc.	\$2,011,130	\$1,705,015	\$3,716,145
Stage Door II, Inc.	Non- Responsible	Non-Responsible	



**BUSINESS DEVELOPMENT DIVISION**

March 10, 2023

TO: Elia Batista, Contracting Agent  
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator  
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation

**PROJECT: Y23-753-EB / Old Cheney Hwy Drainage Improvements and Utility Relocation (Revised)**

The Business Development Division evaluated three bids submitted for this project. The Business Development Division completed an M/WBE Availability Analysis. The scope of services for this project had Minority/Women Business Enterprise availability. As a result, the M/WBE goal remained at 25%. At the time of bid opening, at least 75 M/WBE firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Stage Door II, Inc reported some M/WBE participation. The bidder did not meet the Orange County M/WBE participation goal of 25% and indicated in their bid that they have historically performed all of the other scope of services listed in the bid form on page 17 but did not include the specific scopes on Attachment C-2.

Business Development issued a Submittal of Clarification email request on March 8, 2023, for the low bidder to submit:

- The Prime Contractor's scope of services omitted from Attachment C-2.
- Good Faith Effort Form Action #1, #2, #3, #4, #5

On March 9, 2023, the low bidder responded and submitted:

- an updated Attachment C-2 with the Prime Contractor's scope of classification and scope of services.
- Good Faith Effort Action #1- Email documentation provided but failed to provide email notification for all addendums to M/WBE firms & missing sub-requirements (A.) through (F.).
- Good Faith Effort Action #2- Yes documentation provided.
- Good Faith Effort Action #3- Yes bidder provided documentation.
- Good Faith Effort Action #4- Yes documentation for M/WBE companies quotes was provided however none provided for non-MWBE companies.
- Good Faith Effort Action #5- Yes documentation submitted.

*Sheena Ferguson*

**Interoffice Memorandum**

The apparent low bid, submitted by Stage Door II, Inc. reported 19.05% in M/WBE participation. The bidder did not meet the Orange County M/WBE participation goal of 25% and indicated in their bid that they have historically performed all of the other scope of services listed in the bid form on page 17. 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.

Please note the following certified M/WBE participation:

WBE-WF	Pipe & Nipple Supply	\$442,447.59
MBE-HM	La Costa Sod	\$46,856.25
MBE-HM	EM Paving	\$39,745.75
WBE-WF	KMG Fence	\$5,848.50
WBE-WF	John B. Webb & Associates	\$42,250.00
<b>Total MWBE Participation</b>		<b>\$577,148.09 (19.05%)</b>

The second low bid, submitted by Cathcart Construction Company-Florida LLC reported M/WBE participation, but their scope of classification and services were omitted from Attachment C-2.

Business Development issued a Submittal of Clarification email request on March 8, 2023, for the second low bidder to submit:

- The Prime Contractor’s scope of classification and scope of services omitted from Attachment C-2.
- Good Faith Effort Form Action #1, #2 #3, #4, and #5.

On March 10, 2023, the second low bidder provided no response. It was determined the M/WBE evaluation should be evaluated using the information provided. Cathcart Construction Company-Florida LLC reported 25.02% in M/WBE participation and 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	\$60,000
MBE-AM	Sunrise Hauling & Excavation	\$20,000
WBE-WF	JML Advertising	\$1,500
MBE-HM	Diversified Supply	\$375,000
MBE-HM	Central Florida Construction Walls	\$30,000
MBE-HM	EM Paving	\$200,000
WBE-WF	Flashrite	\$50,000
MBE-HM	On Point Surveying	\$25,000
WBE-WF	KMG Fence	\$20,000
WBE-WF	Angco	\$2,500
<b>Total MWBE Participation</b>		<b>\$784,000 (25.02%)</b>

Interoffice Memorandum

The third low bid, submitted by Carr & Collier, Inc., reported 25.09% in M/WBE participation and met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	Diversified Supply	\$259,560
MBE-HM	Central Hauling & Excavation	\$557,000
MBE-HM	La Costa Sod	\$40,609
<b>Total MWBE Participation</b>		<b>\$857,169 (25.09%)</b>

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****Y23-753-EB / Old Cheney Hwy Drainage Improvements and Utility Relocation**

<b>Rank</b>	<b>Bidder</b>	<b>Bid Amount</b>	<b>M/WBE \$'s in Bid</b>	<b>% M/WBE (Goal 25%)</b>	<b>GFE</b>	<b>EEO % M / W</b>
Low Bid	Stage Door II, Inc.	\$3,029,866.50	\$577,148.09	19.05%	N/A	28 / 32 %
2nd Low	Cathcart Construction Company-Florida LLC	\$3,134,038.00	\$784,000.00	25.02%	N/A	0 / 6 %
3rd Low	Carr & Collier, Inc.	\$3,417,053.00	\$857,169.00	25.09%	N/A	10 / 20 %