



August 15, 2023

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

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

Contact: Eduardo Avellaneda, M.S., P.E., Manager II, Roads and Drainage Division
407-836-7871

Subject: Award of Invitation for Bids Y23-1048-GO, Infrastructure Repair and
Replacement

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-1048-GO, Infrastructure Repair and Replacement, to the low responsive and responsible bidder, RMS Constructors Group, LLC, in the total contract award amount of \$4,401,350 for the base year. Further request Board authorization for the Procurement Division to renew the contract for option years 1 and 2.

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 the removal and replacement of existing damaged infrastructure including sidewalks, curb, gutter, driveway approaches, and pedestrian ramps. On occasion, the work may consist of the construction of new sidewalk in areas where there is no previous sidewalk or removal of asphalt up to 4" deep, to include adding or removing excess soil to accommodate installation of 4" or 6" concrete to designated elevation. Work shall be issued on an as-needed basis throughout Orange County.

FUNDING:

Funding is available in account number 1002-072-2906-3816.

APPROVALS:

The Roads and Drainage and Business Development Divisions concur with this recommendation.

REMARKS:

Four bids were received in response to this Invitation for Bids and was evaluated for responsiveness, responsibility, and price reasonableness. References provided were satisfactory for this type of work and RMS Constructors Group, LLC, has been determined to be responsible. Therefore, award is recommended to RMS Constructors Group, LLC.

The bid tabulation is as follows:

Bidder:	Bid Totals
RMS Constructors Group, LLC	Base Year: \$4,401,350 Option Year 1: \$4,401,250 <u>Option Year 2: \$4,401,250</u> Total Bid: \$13,203,850
Condor Construction Corp	Base Year: \$4,730,350.00 Option Year 1: \$4,962,287.50 <u>Option Year 2: \$5,224,785.00</u> Total Bid: \$14,917,422.50
Stage Door II, Inc.	Base Year: \$5,103,850 Option Year 1: \$5,103,750 <u>Option Year 2: \$5,103,750</u> Total Bid: \$15,311,350
Mercon Construction Co.	Base Year: \$5,734,100 Option Year 1: \$6,020,700 <u>Option Year 2: \$6,307,400</u> Total Bid: \$18,062,200



BUSINESS DEVELOPMENT DIVISION

August 31, 2023

TO: Gian Otero, Contracting Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation Revised

PROJECT: Y23-1048-GO, Infrastructure Repair and Replacement

The Business Development Division evaluated the **three lowest bids** submitted for this project. The Business Development Division completed an M/WBE Availability Analysis. The scope of services for this project had M/WBE availability. As a result, the M/WBE goal is 24%. At the time of bid opening, at least 20 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by RMS Constructors Group, LLC reported 26.97% in M/WBE participation and met the Orange County M/WBE participation goal of 24% **per Ordinance**.

Please note the following certified M/WBE participation:

MBE-AM	W.T. Comp, Inc.	\$3,561,500
Total MWBE Participation		\$3,561,500

The apparent second low bid, submitted by Condor Construction Corp reported an incorrect Contract and Sub-contract Goal Participation schedule.

Sheena Ferguson

Interoffice Memorandum

Business Development issued a submittal of clarification email request on August 3, 2023; for the apparent second low bidder to submit:

- The prime scopes were omitted and M/WBE supplier was listed in the incorrect section on the Contract and Sub-contract Goal Participation Schedule.

On August 4, 2023, the apparent second low bidder responded and resubmitted:

- The same Contract and Sub-contract Goal Participation Schedule.

The apparent second low bid, submitted by Condor Construction Corp reported 25.71% in M/WBE participation and met the Orange County M/WBE participation goal of 24% **per Ordinance**.

Please note the following certified M/WBE participation:

MBE-HM	Siles and Sons, Inc.	\$60,000
MBE-HM	German Delaware, Inc. dba GDI	\$3,650,000
WBE-WMNO	Flash-Rite, Inc.	\$125,000*
Total MWBE Participation		\$3,835,000

*The WBE supplier, Flash-Rite, Inc. was incorrectly listed under the sub-contractor section and should have been listed under the supplier section. Therefore, the dollar amount is discounted at 50%.

The apparent third low bid, submitted by Stage Door II, Inc. reported 0% in M/WBE participation and did not meet the Orange County M/WBE participation goal of 24% **per Ordinance**. The bidder indicated in their bid that they have historically performed various scopes of services listed in the bid form on pages 10-14. Per the Ordinance, Sec. 17-321, the prime contractor is not required to subcontract out work that it has historically and consistently performed with its own workforce.

Our evaluation of these bids was based on the participation listed on the Contract and Sub-Contract Goal Participation Schedule. Attached is a spreadsheet reconciling the bidders' compliance with the Invitation for Bid's M/WBE requirements, including the percentage breakdown for the bidder and a comparison of the relative bid versus participation percentages.

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

c: contract file

BID COMPARISON**IFB-Y23-1048-GO, Infrastructure Repair and Replacement**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 24%)	GFE	\$ Over Low Bid	% Difference From Low Bid (3%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO M / W
Low Bid	RMS Constructors Group, LLC	\$13,203,850	\$3,561,500	26.97%	N/A					64%/14%
2nd Low	Condor Construction Corp	\$14,917,422.50	\$3,835,000	25.71%	N/A	\$1,713,573	12.98%			89%/33%
3rd Low	Stage Door II, Inc.	\$15,311,350	\$0	0%	N/A	\$2,107,500	15.96%	\$393,928	2.64%	69%/6%