



January 25, 2023

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

From:

Carrie Mathes, CFCEM, 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 Y23-726-GO, Brandon Coates Park Roadway Repair

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-726-GO, Brandon Coates Park Roadway Repair, to the low responsive and responsible bidder, Valencia Construction Group, Inc., in the total contract award amount of \$945,000.

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 existing gravel lime rock access driveway and replace with select coarse aggregate based material at Brandon Coates Community Park. The project is located in District 1.

FUNDING:

Funding is available in account number 1050-062-2100-3810.

APPROVALS:

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

REMARKS:

Five bids were received in response to this Invitation for Bids (IFB) and were evaluated for responsiveness, responsibility, and price reasonableness. The bids submitted by Gregori Construction, Inc. and Schuller Contractors, Inc., were 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. The bid from APEC, LLC was deemed non-responsive by the

Award of Invitation for Bids Y23-726-GO, Brandon Coates Park Roadway Repair
Page 2

Procurement Division for failure to provide similar projects that conform to the requirements of the IFB. A timely protest was filed by Gregori Construction, Inc. In accordance with the Procurement Ordinance, a protest review was held by the Procurement Manager on January 19, 2023, and the decision was rendered to deny the protest. No appeals were received. Valencia Construction Group, Inc. has a satisfactory record of performance for this type of work and has been determined to be responsible. Therefore, award is recommended to Valencia Construction Group, Inc.

Bid tabulation is as follows:

<u>Bidder:</u>	<u>Total Estimated Bid:</u>
Valencia Construction Group, Inc.	\$945,000
Development of Central Florida, Inc.	\$1,794,529
Gregori Construction Inc.	Non-Responsive
Schuller Contractors Inc.	Non-Responsive
APEC, LLC	Non-Responsible



BUSINESS DEVELOPMENT DIVISION

February 13, 2023

TO: Gian Otero Flores, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation Revised

PROJECT: Y23-726-GO / Brandon Coates Park Roadway Repair

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 Minority/Women Business Enterprise availability. As a result, the M/WBE goal was reduced from 25% to 10%. At the time of bid opening, at least 25 M/WBE firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Gregori Construction, Inc., reported 36.69% in M/WBE participation and met the Orange County M/WBE participation goal **per the Ordinance requirement**; however, letters of intent were not timely received from such apparent low bidder for the following certified M/WBE subcontractors:

MBE-AM	Central Hauling & Excavation	\$312,285
MBE-HM	On Point Surveying	\$4,100
Total MWBE Participation		\$316,385 (36.69%)

The apparent second low bid, submitted by Orange County MBE firm Valencia Construction Group, Inc. is bidding as Prime Contractor. Therefore, Valencia Construction Group, 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 10% M/WBE goal. Valencia Construction Group, Inc., reported self-performing 99.21% and met the Orange County M/WBE participation goal **per the Ordinance requirement**. No letter of intent is applicable as the Prime Contractor is a MBE firm that is self-performing 99.21% of the scopes of service. Please note the following certified M/WBE participation:

MBE-AM	Valencia Construction Group, Inc.	\$937,500
Total MWBE Participation		\$937,500 (99.21%)

Sheena Ferguson

Interoffice Memorandum

The apparent third low bid, submitted by American Persian Engineering and Construction, LLC dba APEC, LLC, reported 28.00% 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	German Delaware	\$303,800
Total MWBE Participation		\$303,800 (28.00%)

The apparent fourth low bid, submitted by Schuller Contractors Incorporated, reported 6.79% in M/WBE participation and did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**. **Good Faith Effort (GFE) was not submitted per the Ordinance if the M/WBE goal is not met**. Therefore, GFE was not achieved. Please note the following certified M/WBE participation:

MBE-HM	On Point Surveying	\$4,100
WBE-WF	LP Video	\$775
MBE-HM	Blue Marlin Engineering	\$3,000
MBE-HM	La Costa Sod	\$93,855
Total MWBE Participation		\$101,730 (6.79%)

In the event the lowest bidder is not the recommended bidder, then letters of intent must be obtained from the recommended bidder two business days after being contacted.

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									
Y23-726-GO / Brandon Coates Park Roadway Repair									
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 10%)	Total MWBE %	GFE	EEO % M / W
Low Bid	Gregori Construction, Inc.	\$862,350.00	\$0.00	\$316,385.00	0.00%	36.69%	36.69%	N/A	0 / 0 %
2nd Low	Valencia Construction Group, Inc.	\$945,000.00	\$937,500.00	\$0.00	99.21%	0.00%	99.21%	N/A	100 / 0 %
3rd Low	American Persian Engineering and Construction, LLC dba APEC, LLC	\$1,085,000.00	\$0.00	\$303,800.00	0.00%	28.00%	28.00%	N/A	40 / 10 %
4th Low	Schuller Contractors Incorporated	\$1,499,012.00	\$0.00	\$101,730.00	0.00%	6.79%	6.79%	No	38 / 13 %