




January 7, 2020

To: Mayor Jerry L. Demings  
and the Board of County Commissioners

From:  Carrie Mathes, CFCM, CPPO, C.P.M.  
Manager, Procurement Division

Contact: Sara Flynn-Kramer, Manager, Capital Projects Division  
(407) 836-0048

Subject: Award of Invitation for Bids Y20-702-RC, Orange County  
Construction of Community Park on Parcel J

ACTION REQUESTED:

Approval to award Invitation for Bids Y20-702-RC, Orange County Construction of Community Park on Parcel J, to the low responsive and responsible and M/WBE compliant bidder, R L Burns Inc. in the total contract award amount of \$4,948,207.96 inclusive of additive no.1.

PROCUREMENT:

The project includes the construction of a park with three illuminated multipurpose fields, playground, parking, restroom/concession building and walking path. Additive no.1 includes an additional playground. The project is located in District 4.

FUNDING:

Funding is available in account numbers 1265-065-2144-6310 and 1023-021-0334-6310.

APPROVALS:

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

REMARKS:

Nine bids were received in response to the Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. Burke Construction Group, Inc. was deemed non-responsive for failure to submit a signed copy of the Relationship Disclosure Form. Mid-South Contractors, LLC was deemed non-responsive for failure to meet similar project requirements. R L Burns Inc. is a certified M/WBE firm whose bid is within the 4% allowed by the solicitation for award to other than the low bidder, in accordance with the County's M/WBE Ordinance, Section 17-324.

Award of Invitation for Bid Y20-702-RC, Orange County Construction of Community Park on Parcel J

The bid submitted from R L Burns Inc. is considered reasonable based on comparison to the engineer's estimate. R L Burns Inc. has displayed satisfactory record of performance. Therefore, award is recommended to R L Burns, Inc.

Bid tabulation is as follows:

<b>Bids Received</b>	<b>Base Bid</b>	<b>Additive</b>	<b>TOTAL</b>
J.K.2. Holmes Constructors, LLC	\$4,567,070.00	\$320,000.00	\$4,887,070.00
<b>R L Burns Inc.</b>	<b>\$4,612,956.08</b>	<b>\$335,251.88</b>	<b>\$4,948,207.96</b>
Jordan Brothers Construction, LLC	\$4,800,000.00	\$330,000.00	\$5,130,000.00
Sloan Builders Inc.	\$4,854,334.00	\$319,460.00	\$5,173,794.00
MCI Mulligan Constructors Inc.	\$4,999,629.00	\$292,758.00	\$5,292,387.00
J. Kokolakis dba Kokolakis Contracting, Inc.	\$5,191,547.00	\$311,700.00	\$5,503,247.00
Mar-con Construction, LLC dba Marbek Construction Co.	\$5,305,800.00	\$309,800.00	\$5,615,600.00
Burke Construction Group, Inc.	Non- responsive		
Mid-South Contractors, LLC	Non- responsive		



**BUSINESS DEVELOPMENT DIVISION**

January 17, 2020

**TO:** Rochelle Chambers, Senior Contract Administrator  
Procurement Division

**FROM:** Dexter Watts, Senior Contract Administrator  
Business Development Division

**SUBJECT:** Business Development Division Bid Evaluation

**PROJECT:** Y20-702-RC / Orange County Construction of Community Park on Parcel J – Base + Additive 1

The Business Development Division evaluated the four lowest bids of the seven bids submitted for this project. One of the bidders was an Orange County certified Minority/Women Business Enterprise. The scope of services for this project had Minority/Women Business Enterprise availability. At the time of bid opening, at least 84 M/WBE firms were certified to provide the scope of services at the subcontract level.

The apparent low bidder, J.K.2. Holmes Constructors, LLC, did not achieve good faith effort documentation and reported 4.73% M/WBE participation in their bid. Please note the following certified M/WBE participation:

Mbe-hm	EM Paving	\$121,580
Wbe-wf	KMG Fence LLC	\$109,698
<b>Total M/WBE Participation</b>		<b>\$231,278.00 (4.73%)</b>

The second low bid submitted by Orange County Minority/Women Business Enterprise firm R L Burns, Inc. is bidding as a prime. Therefore, R L Burns Inc., is required to self-perform no less than 51% of the contract per Sec. 17-321 in 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. R L Burns, Inc. reported self-performing 0%. They reported 25.10% other M/WBE participation in their bid and met the M/WBE participation goal. The second low bid is within the 4% sliding scale range, of the low bidder, for contract awards from \$2,000,000.01 to \$5,000,000.00. The second low bid is only 1.25% greater than the low bid. **Having met the MWBE participation goal and the sliding scale requirements, this bid may be awarded to the second low bidder.** Please note the following certified MWBE participation:

Mbe-afam	Sterling Silver Scape & Sod, Inc.	\$242,000
Mbe-hm	M & M Electric Of Central Florida, Inc.	\$750,000
Mbe-afam	Paul E. Walsh Trucking, Inc.	\$250,000
<b>Total MWBE Participation</b>		<b>\$1,242,000.00 (25.10%)</b>

*Sheena Ferguson*

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The third low bid submitted by Jordan Brothers Construction, LLC, did not achieve good faith effort documentation and reported 18.99% M/WBE participation in their bid.

The fourth low bid submitted by Sloan Builders Inc., did not achieve good faith effort documentation and reported 0% M/WBE participation in their bid.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

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.

c: Sheena Ferguson, Manager, Business Development Division

**BID COMPARISON BASE + ADDITIVE 1**

**Y20-702-RC / Orange County Construction of Community Park on Parcel J**

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	\$ Over Low Bid	% Difference From Low Bid (4%)	% Difference From 2nd Low Bid	EEO % M / W
Low Bid	J.K.2. Holmes Constructors, LLC	\$4,887,070.00	\$0	\$231,278	0.00%	4.73%	4.73%	no				20/26
2nd Low	R L Burns Inc. [mbe-afam]	\$4,948,207.96	\$0	\$1,242,000	0.00%	25.10%	25.10%	na	\$61,137.96	1.25%		50/10
3rd Low	Jordan Brothers Construction, LLC	\$5,130,000.00	\$0	\$974,300	0.00%	18.99%	18.99%	no	\$242,930.00	4.97%	3.67%	70/7
4th Low	Sloan Builders Inc.	\$5,173,794.00	\$0	\$0	0.00%	0.00%	0.00%	no	\$286,724.00	5.87%	4.56%	20/0
5th Low	Mulligan Constructors, Inc.	\$5,292,387.00	\$0	\$148,834	0.00%	2.81%	2.81%	no	\$405,317.00	8.29%	6.96%	18/12
6th Low	J. Kokolakis Contracting, Inc. dba Kokolakis Contracting	\$5,503,247.00	\$0	\$1,552,484	0.00%	28.21%	28.21%	na	\$616,177.00	12.61%	11.22%	14/16
7th Low	Mar-Con Construction, LLC dba Marbek Construction Co.	\$5,615,600.00	\$0	\$192,000	0.00%	3.42%	3.42%	no	\$728,530.00	14.91%	13.49%	0/0