




April 26, 2023

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
407-254-9918

Subject: Award of Invitation for Bids Y23-747-SH, Utilities Gravity Replacement Package 2

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-747-SH, Utilities Gravity Replacement Package 2, to the low responsive and responsible bidder, R.P. Utility & Excavation Corporation, in the total contract award amount of \$6,299,937.

PROCUREMENT:

Work under this contract consists of gravity repair and replacement of approximately 3,136 linear feet of 8", 10", 12", and 18" gravity sewer, replacement of 17 manholes, installation of four new manholes and 35 sewer laterals, and CIPP lining of approximately 1,982 linear feet of gravity sewer. The project is located in Districts 1, 3, 4, and 6.

FUNDING:

Funding is available in account number 4420-038-1500-0056-6340.

APPROVALS:

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

REMARKS:

Three bids were received in response to this Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by Metro Equipment Service, Inc. was deemed non-responsive by the Procurement Division based on the analysis provided by the Business Development Division, which identified that the MWBE participation goal was not achieved, and sufficient good faith effort documentation was not provided. R.P. Utility & Excavation Corporation has a satisfactory record of performance for this type of work and has been determined to be responsible. Therefore, award is recommended to R.P. Utility & Excavation Corporation.

The bid tabulation is as follows:

<u>Bidder:</u>	<u>Total Estimated Bid:</u>
R.P. Utility & Excavation Corporation	\$6,299,937
Prime Construction Group, Inc.	\$11,317,681
Metro Equipment Service, Inc.	Non-responsive



BUSINESS DEVELOPMENT DIVISION

March 10, 2023

TO: Sean Hynes, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation

PROJECT: **Y23-747-SH / Utilities Gravity Replacement Package 2 (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 will remain at 25%. At the time of bid opening, at least 63 M/WBE firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by R.P. Utility & Excavation Corporation, reported 25.14% in M/WBE participation and met the Orange County M/WBE participation goal **per the Ordinance requirement**. While they listed MWBE firms with the bid they did not provide the scope of classification on Attachment C-2.

Business Development issued a Submittal of Clarification email request on February 28, 2023, for the low bidder to submit:

- The subcontractors' scope of classification omitted from Attachment C-2.
- Good Faith Effort Form Action #1, #2, #3, #4, #5

On February 28, 2023, the low bidder responded and submitted:

- an updated Attachment C-2 with the and subcontractors scope of classification
- Good Faith Effort Action #1- No documentation submitted
- Good Faith Effort Action #2- No documentation submitted
- Good Faith Effort Action #3- No documentation submitted
- Good Faith Effort Action #4- No documentation submitted
- Good Faith Effort Action #5- No documentation submitted

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Please note the following certified M/WBE participation:

MBE-AFAM	SOP Consulting & Construction	\$905,000
MBE-HM	Tek Hauling	\$175,000
MBE-AFAM	Bid N Build Construction	\$149,000
MBE-HM	Corcel Corp	\$30,000
MBE-HM	EM Paving	\$298,000
WBE-WF	Global-5	\$26,680
Total MWBE Participation		\$1,583,680 (25.14%)

The second low bid, submitted by Metro Equipment Service, Inc., reported 23.07% 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 achieved per the Ordinance requirement if the M/WBE goal is not met.** Therefore, GFE was not achieved.

Business Development issued a Submittal of Clarification email request on February 28, 2023, for the second 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

The second low bidder failed to submit clarification documentation by the deadline March 2, 2023.

- 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 submitted

WBE-WF	JML Advertising	\$825
MBE-AFAM	HZ Construction	\$232,400
Total MWBE Participation		\$233,225 (23.57%)

The third low bid, submitted by Prime Construction Group Inc., reported 25.02% in M/WBE participation and met the Orange County M/WBE participation goal **per the Ordinance requirement.**

MBE-AFAM	HZ Construction	\$2,008,961.74
MBE-HM	La Costa Sod	\$10,000.00
WBE-WF	LP Video Productions	\$1,125.00
MBE-HM	EM Paving	\$506,262.50
MBE-AFAM	Bid N Build Construction	\$149,066.55
MBE-HM	Trujillo Trucking	\$156,000.00
Total MWBE Participation		\$2,831,415.79 (25.02%)

Interoffice Memorandum

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**Y23-747-SH / Utilities Gravity Replacement Package 2**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 25%)	GFE	EEO % M / W
Low Bid	R.P. Utility & Excavation Corporation	\$6,299,937.00	\$1,583,680.00	25.14%	N/A	67 / 33 %
2nd Low	Metro Equipment Service, Inc.	\$8,451,197.00	\$1,949,950.00	23.07%	No	86 / 14 %
3rd Low	Prime Construction Group, Inc.	\$11,317,681.00	\$2,831,415.79	25.02%	N/A	38 / 10 %