




October 2, 2023

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

From:  Carrie Mathes, CFCM, 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 Y23-7003-RC, Orange County Parks
Horizon West Regional Phase IA

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-7003-RC, Orange County Parks Horizon West Regional Phase IA, to the low responsive and responsible bidder, Mulligan Constructors, Inc., in the total contract award amount of \$11,704,919 inclusive of additive number 1.

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, 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:

Horizon West Regional Park located in West Orange County, Florida, is roughly 220 acres of rolling hills and currently serves as a passive wooded area of land for people to hike and enjoy the unique setting. A community-based master plan was prepared in 2020 that included facilities (buildings), circulation, park amenities, baseball and soccer fields, furnishings, and landscape. This park will be implemented in multiple phases. The first phase consists of the design and construction of all major utilities and infrastructure to serve the park's future full build out. It also includes the main entrance and entry drive, parking lots, signage, site lighting, a playground, restroom building and sidewalks. Additive Number 1 will include a concrete sidewalk, 6-foot high black vinyl coated chain-link fence, small columns and decorative bollard. The project is located in District 1.

FUNDING:

Funding is available in account number 1265-062-2155-6310.

APPROVALS:

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

REMARKS:

Six bids were received in response to the Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bids submitted by Johnson-Laux Construction was 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. H.A. Contracting was deemed non-responsive for failing to provide the required Bid Bond in its entirety. The bid submitted from Mulligan Constructors, Inc is considered reasonable based on comparison to the engineer's estimate. References provided were satisfactory for this type of work and Mulligan Constructors, Inc has been determined to be responsible. Therefore, the award is recommended to Mulligan Constructors, Inc.

The bid tabulation is as follows:

BID RECEIVED:	Base Bid	Additive No. 1	Total Award Amount
Mulligan Constructors, Inc	\$11,491,348	\$213,571	\$11,704,919
CIC Construction Group USA, LLC	\$12,652,480	\$174,640	\$12,827,120
A2 Group Inc.	\$12,686,000	\$190,000	\$12,876,000
Oelrich Construction Inc.	\$14,068,657	\$231,056	\$14,299,713
Johnson-Laux Construction	Non Responsive		
H.A. Contracting	Non Responsive		



BUSINESS DEVELOPMENT DIVISION

August 29, 2023

TO: Rochelle Chambers, Contracting Agent
Procurement Division

FROM: Kambria Anderson, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation

PROJECT: Y23-7003-RC – Orange County, Horizon Park Phase 1

The Business Development Division evaluated the lowest 4 of the 5 bids submitted for this project and completed a Minority/Women Business Enterprise (M/WBE) Availability Analysis. The scope of services for this project had limited M/WBE availability. As a result, the M/WBE goal was reduced to 23%. At the time of bid opening, at least 61 M/WBE firms were certified to provide the scope of services at the subcontract level. All 5 bids included similar scope of services that the Business Development Division used to determine the MWBE goal availability. However, the cost of the line items associated with the scopes of service exceeded the cost of the line items included in the engineering estimate.

The apparent low bid, submitted by Mulligan Constructors, Inc., reported 55.5% M/WBE participation. Therefore, the firm met the 23% Orange County M/WBE participation goal, **per the M/WBE Ordinance requirement.**

Please note the following certified M/WBE participation:

WBE-WF	Cajun Installation & Distributing, Inc.	\$5,319.00
MBE-AM	Valencia Construction Group	\$6,253,804.00
Total MWBE Participation		\$6,259,123.00 (55.5%)

The second low bid was submitted by Johnson-Laux Construction. The bidder failed to correctly complete the Contract and Sub-Contract Goal Participation Schedule form. The Business Development Division issued the bidder a Request for Clarification on August 22, 2023, for the apparent second low bid to:

Contract and Sub-Contract Goal Participation Schedule Form

- Complete "Section 1 – Prime Contractor" and ensure each specific scope of service is detailed that the Prime contractor will be performing.

Sheena Ferguson

- Ensure that the total of Sections 1, 2 and 3 equals to the Total Bid / Proposal Amount

Good Faith Effort Form

- Form is omitted – Please thoroughly complete Actions 1 through Action 5 and submit.

The bidder failed to respond to the Business Development Division by the deadline of 11:59 PM on August 24, 2023. Therefore, the Business Development Division was unable to ascertain and confirm whether the bidder met the M/WBE participation goal of 25%.

Please note the following certified M/WBE participation:

MBE-AM	Valencia Construction Group	\$6,253,804.42
MBE-AM	Instyle Technologies	\$112,986.00
MBE-AFAM	Quantum Electric	\$1,033,450.50
Total MWBE Participation		\$7,400,240.92 (61.0%)

The third low bid, submitted by CIC Construction Group USA, LLC, reported 23.01% M/WBE participation. Therefore, the firm met the 23% Orange County M/WBE participation goal, **per the M/WBE Ordinance requirement.**

Please note the following certified M/WBE participation:

WBE-WF	Cajun Installation & Distributing, Inc.	\$5,319.00
MBE-AM	Valencia Construction Group	\$6,253,804.00
MBE-HM	On Point Surveying, Inc.	\$40,080.00
MWBE-AFAF	Williams Earthwork, Inc.	\$330,000.00
MBE-AFAM	Sterling Silver Scrape & Sod, Inc.	\$598,937.00
MWBE-HF	Cornerstone Construction Services, Inc.	\$640,000.00
MBE-HM	Central Florida Construction Walls, Inc.	\$133,395.00
WBE-WF	Lavendar Lady Plumbing, Co.	\$123,900.00
MBE-AFAM	Quantum Electric, LLC.	\$1,003,550.00
Total MWBE Participation		\$2,870,736.00 (23.01%)

The fourth low bid, submitted by A2 Group, LLC, reported 48.05% M/WBE participation. Therefore, the firm met the 23% Orange County M/WBE participation goal, **per the M/WBE Ordinance requirement.**

Please note the following certified M/WBE participation:

MBE-AM	Valencia Construction Group	\$6,095,000.00
Total MWBE Participation		\$6,095,000.00 (48.05%)

Our evaluation of these bids was based on the participation listed on the Contract and Sub-Contract Goal Participation Schedule form. Attached is a spreadsheet reconciling the bidders'

Interoffice Memorandum

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**Y23-7003-RC Orange County, Horizon Park Phase 1**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 23%)	GFE	\$ Over Low Bid	% Difference From Low Bid (%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO % / W M
Low Bid	Mulligan Constructors	\$11,277,777.00	\$6,259,123.00	55.50%	N/A					61 / 29 %
2nd Low	Johnson-Laux	\$12,158,502.00	\$7,400,240.92	60.86%	NO	\$880,725.00	7.81%			70 / 30 %
3rd Low	CIC	\$12,477,840.00	\$2,870,736.00	23.01%	N/A	\$1,200,063.00	10.64%	\$319,338.00	2.63%	24 / 17 %
4th Low	A2 Group, LLC.	\$12,686,000.00	\$6,095,000.00	48.05%	N/A	\$1,408,223.00	12.49%	\$527,498.00	4.34%	33 / 17 %