



**Interoffice Memorandum**

August 10, 2020

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

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

**CONTACT:** Troy Layton, BCEE, Manager, Utilities Department, Field Services Division  
(407) 254-9794

**SUBJECT:** Award of Invitation for Bids Y20-1060-AH, Cold Patch Asphalt for the Orange County Utilities Department

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y20-1060-AH, Cold Patch Asphalt for the Orange County Utilities Department, to the low responsive and responsible bidder, Duval Asphalt Products, Inc., in the estimated contract award amount of \$795,000 for a five-year term.

**PROCUREMENT:**

This contract will provide a cold mix asphalt product similar in appearance and performance to hot mix asphalt to be used for repair of asphalt and concrete surfaces.

**FUNDING:**

Funding is available in account number 4420-038-1347-4160.

**APPROVALS:**

The Utilities Department and the Business Development Division concur with this recommendation.

**REMARKS:**

A single bid was received in response to this Invitation for Bids (IFB) and was evaluated for responsiveness and responsibility. The references were questioned regarding reliability, responsibility, communication, expertise, and overall performance. The bidder has a satisfactory record of performance as confirmed by the references submitted. All responses were positive. No unsatisfactory reports or complaints have been filed against the vendor.

A negotiation meeting was held, resulting in a reduction to the price per ton from \$142.00 to \$132.50, decreasing the five-year estimate from \$852,000 to \$795,000. This was a cost savings of \$49,620 below the County's original estimate.

Award of Invitation for Bids Y20-1060-AH, Cold Patch Asphalt for the Orange County Utilities Department

Additionally, the price offered by the vendor is considered reasonable when compared to the current contract, as well as the North Carolina Department of Transportation, the State of New York Office of General Service, and State of Connecticut Department of Transportation contracts. The unit cost per ton for these agencies ranges between \$108 to \$180.

To ensure an open and competitive bid process, the IFB was posted on the Orange County website and the Negometrix Portal. A query from staff to potential bidders that declined to compete on this solicitation resulted in the following:

- Community Asphalt Corp.: vendor did not submit a bid due to the delivery requirements, the penalties for not meeting the delivery date and because the County does not accept emailed invoices. The software his company uses cannot meet the invoicing requirements.
- Middlesex Asphalt, LLC: the solicitation is for a specialty product that the company does not produce on a regular basis. The company felt the expected volume was rather low for a specialty product with only three days' notice to produce.
- Hubbard Construction Company: the company produces hot mix asphalt all year round, however, there is not enough demand to produce and store cold patch asphalt at a marketable rate.
- Ranger Construction Industries, Inc.: the company does not produce cold patch asphalt.
- Arrow Pavement Services, Inc.: The company does not produce cold patch asphalt.
- BaraCo Paving: the company did not understand the needs and requirements of the IFB.

The bid tabulation is as follows:

<u>Bidder</u>	<u>Negotiated Bid Price</u>
Duval Asphalt Products, Inc.	\$795,000




Interoffice Memorandum

**BUSINESS DEVELOPMENT DIVISION**

June 15, 2020

**TO:** Alina Hernandez Fernandez, Contracting Agent  
Procurement Division

**FROM:** Kesi Warren, Senior Contract Administrator   
Business Development Division

**SUBJECT:** Business Development Division Bid Evaluation

**PROJECT:** IFB #Y20-1060-AH, Cold Patch Asphalt for the Orange County Utilities  
Department

The Business Development Division evaluated the **one bid** submitted for this project. **The bidder** is not an Orange County Certified Minority/Women Business Enterprise (M/WBE) firm. At the time of bid openings there were at least seven firms certified at the prime level for the scope of service. The bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 cannot be applied.

c: Sheena Ferguson, Manager, Business Development Division

