




Interoffice Memorandum

October 24, 2022

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

From:  Carrie Mathes, CFCM, NIGP-CPP, CPPO, C.P.M., Manager II,
Procurement Division

Contact: Eduardo Avellaneda, M.S., P.E., Manager, Roads and Drainage Division
407-836-7871

Subject: Award of Invitation for Bids Y22-1054-CR, Asphalt Milling and Resurfacing with
Friction Course and Asphalt Berms

ACTION REQUESTED:

Approval to award Invitation for Bids Y22-1054-CR, Asphalt Milling and Resurfacing with Friction Course and Asphalt Berms, to the low responsive and responsible bidders, Middlesex Paving, LLC, in the estimated contract award amount of \$28,869,000 for a one-year term, and Hubbard Construction Company, in the estimated contract award amount of \$30,661,950 for a one-year term. Additionally, request authorization for the Procurement Division to renew the contracts for two additional one-year terms.

PROCUREMENT:

Work under these contracts shall consist of asphalt milling and resurfacing of deteriorating roadways throughout Orange County, to enhance the safety of the motoring public as well as the pedestrian traffic at crossings. Work will be issued on an as-needed basis throughout Orange County.

FUNDING:

Funding is available in account number 1004-072-2990-3816.

APPROVALS:

The Roads and Drainage and Business Development Divisions concur with this recommendation.

REMARKS:

Four bids were received in response to this Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bid from Ranger Construction Industries, Inc. 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. The bid from Preferred Materials, Inc. was deemed non-responsive by the Procurement Division, based on the analysis provided by the Business Development Division, which identified that the Attachment C-2 was not completed correctly, the M/WBE participation goal was not achieved, sufficient good faith effort documentation was not provided.

Award of Invitation for Bids Y22-1054-CR, Asphalt Milling and Resurfacing with Friction Course and Asphalt Berms
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The bid from Middlesex Paving, LLC, 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. Timely protests were filed by Preferred Materials, Inc. and Middlesex Paving, LLC. In accordance with the Procurement Ordinance, protests reviews were held by the Procurement Manager on October 18, 2022. The protest of Preferred Materials, Inc. was denied, and the protest of Middlesex Paving, LLC. was upheld. No appeals were received.

Multiple awards are necessary because the projected workload will exceed the capacity of a single contractor and are necessary to meet the requirements for multiple orders to be performed on an ongoing basis throughout the County. After achieving the minimum order requirements for each contract, the low-cost contractor will be given the first opportunity to perform all work. The other contractors will be utilized in the event the low-cost contractor is unable to perform within the required timeframe. Middlesex Paving, LLC., and Hubbard Construction Company have satisfactory records of performance for this type of work and have been determined to be responsible.

Bid tabulation is as follows:

Middlesex Paving, LLC	Total Bid:	\$28,869,000
Hubbard Construction Company	Total Bid:	\$30,661,950
Ranger Construction Industries, Inc.		Non-Responsive
Preferred Materials, Inc.		Non-Responsive



BUSINESS DEVELOPMENT DIVISION

November 3, 2022

TO: Cassandra Reyes, Contracting Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: Y22-1054-CR, Asphalt Milling and Resurfacing with Friction Course and Asphalt Berms

The Business Development Division evaluated the four bids submitted for this project. The Business Development Division completed a M/WBE Availability Analysis. The scope of services for this project had limited M/WBE availability. As a result, the M/WBE goal is 15%. At the time of bid opening; at least 13 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Ranger Construction Industries, Inc., reported 11% in M/WBE participation and did not meet the Orange County M/WBE participation goal of 15%. Attachment C-2 was not completed correctly. In addition, the bidder did not achieve good faith effort documentation. The Letter of Intent (LOI) was received from the low bidder for the M/WBE subcontractor listed. However, the LOI was not on the company letterhead, per the instructions on the LOI. Please note the following certified M/WBE participation:

HM	Transpremier, LLC	\$350,0000
HM	Siles and Sons, Inc	\$2,262,000
Total MWBE Participation		\$2,612,000 (11%)

Aheera Ferguson

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The apparent second low bid, submitted by Preferred Materials, Inc., reported 0% in M/WBE participation and did not meet the Orange County M/WBE participation goal of 15%. Attachment C-2 was not completed correctly, and the bidder did not achieve good faith effort documentation.

The apparent third low bid, submitted by Middlesex Paving, LLC., reported 3% in M/WBE participation and did not meet the Orange County M/WBE participation goal of 15%. The bidder did not achieve good faith effort documentation. Please note the following certified M/WBE participation:

HM	EAC Transport, Corp	\$110,000
ASUB	RoadRunner Trucking	\$110,000
AM	Massive Transportation	\$175,000
HM	Transpremier, LLC	\$540,000
Total MWBE Participation		\$935,000 (3%)

The apparent fourth low bid, submitted by Hubbard Construction Company reported 15% in M/WBE participation and met the Orange County M/WBE participation goal of 15%. While they listed Transpremier LLC., in their bid, they did not list the scopes to be subcontracted nor complete Attachment C-2 correctly. The Letter of Intent (LOI) was received from the fourth low bidder for the M/WBE subcontractor listed. However, the LOI does not match exactly the information on Attachment C-2. Please note the following certified M/WBE participation:

HM	Transpremier, LLC	\$4,677,970
Total MWBE Participation		\$4,677,970 (15%)

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.

c: contract file

BID COMPARISON**IFB-Y22-1054-CR, Asphalt Milling and Resurfacing with Friction Course and Asphalt Berms**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 25%)	GFE	\$ Over Low Bid	% Difference From Low Bid (5%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO M / W
Low Bid	Ranger Construction Industries, Inc.	\$22,950,610	\$2,612,000	11%	No					40%/11%
2nd Low	Preferred Materials, Inc.	\$27,203,350	\$0	0%	No	\$4,252,740	18.53%			22%/11%
3rd Low	Middlesex Paving, LLC	\$28,869,000	\$935,000	3%	No	\$5,918,390	25.79%	\$1,665,650	6.12%	35%/0%
4th Low	Hubbard Construction Company	\$30,661,950	\$4,677,970	15%	N/A	\$7,711,340	33.60%	\$3,458,600	12.71%	0%/16%