




April 7, 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 Y23-745-CR, Courthouse Courtyard
Steps

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-745-CR, Courthouse Courtyard Steps, to the low responsive and responsible bidder, Café Construction and Development, Inc. in the estimated contract award amount of \$185,500.

PROCUREMENT:

Work under this contract will consist of improving deficiencies of the physical condition of steps, railings, landscape/grading, and surface pavers. The project is located in District 5.

FUNDING:

Funding is available in account number 1023-043-0263-3810.

APPROVALS:

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

REMARKS:

Two bids were received in response to this Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by S.A. Casey Construction, 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 submitted from Café Construction and Development Inc. is considered reasonable based on comparison to the engineer's estimate. References provided were satisfactory for this type of work and Café Construction and Development, Inc. has been determined to be responsible. Therefore, award is recommended to Café Construction and Development, Inc.

Award of Invitation for Bid Y23-745-CR, Courthouse Courtyard Steps
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The bid tabulation is as follows:

<u>Bidder:</u>	<u>Total Bid:</u>
Café Construction and Development, Inc.	\$185,500
S.A. Casey Construction, Inc.	Non-Responsive



Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

March 22, 2023

TO: Cassandra Reyes, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: Y23-745-CR / Courthouse Courtyard Steps

The Business Development Division evaluated the two bids submitted for this project. The Business Development Division completed a M/WBE Availability Analysis. The scope of services for this project had M/WBE availability. As a result, the M/WBE goal remained at 25%. At the time of bid opening; at least 65 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Orange County MBE firm Café Construction & Development, Inc., is bidding as Prime Contractor met the Orange County M/WBE participation goal **per the Ordinance requirement**. Therefore, Café Construction & Development, Inc., is required to self-perform no less than 51% of the contract per Sec. 17-321 per 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. Café Construction & Development, Inc., reported self-performing 87.27% with 0% sub-contractor's participation listed on attachment C-2. Please note the following certified M/WBE participation:

MBE-HM	Café Construction & Development, Inc.	\$161,885
Total MWBE Participation		\$161,885 (87.27%)

Heena Ferguson

Interoffice Memorandum

The second low bid, submitted by S.A. Casey Construction, Inc., reported 0% 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 March 13, 2023, for the second low bidder to submit:

- Prime Contractor dollar amount is omitted on attachment C-2
- The subcontractor's Scope of Classification and Scope of Services is omitted on attachment C-2
- Good Faith Effort Form Action #1, #2, #3, #4, #5

On March 15, 2023, the second low bidder provided no response.

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									
Y23-745-CR / Courthouse Courtyard Steps									
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	EEO % M / W
Low Bid	Café Construction & Development, Inc.	\$185,500.00	\$161,885.00	\$0.00	87.27%	0.00%	87.27%	N/A	50 / 0 %
2nd Low	S.A. Casey Construction, Inc.	\$565,000.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	No	0 / 13 %