



BUSINESS DEVELOPMENT DIVISION

May 30, 2024

TO: Gerson Vazquez Gonzalez, Contracting Agent
Procurement Division

FROM: Kambria Anderson, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: Y24-769-GV, Courthouse Additional Vendor Parking and Underground Storage Tank Replacement

The Business Development Division evaluated three of the four bids submitted for this project. The Business Development Division (BDD) completed an 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 16%. At the time of bid opening, at least 101 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid was submitted by Orange County Certified Minority Business Enterprise, Don Wood, Inc, who is bidding as a prime. Therefore, Don Wood, Inc, is required to self-perform no less than 51% of the contract, per Sec. 17-321 in the M/WBE Ordinance. In the event this requirement is not achieved, other M/WBE's will have to be included to achieve the 16% M/WBE goal. Don Wood, Inc reported self-performing 88.98%. Therefore, the bidder met the 16% Orange County M/WBE participation goal **per the Ordinance requirement.**

Please note the following certified M/WBE participation:

MBE-HM	Don Wood, Inc	\$590,000
Total M/WBE Participation		\$590,000 (88.98%)

The second low bid was submitted by Prime Construction Group, Inc who reported 16.32% in M/WBE participation. Therefore, the bidder met the M/WBE participation goal, **per the Ordinance requirement.**

Please note the following certified M/WBE participation:

MBE-AFAM	HZ Construction Inc	\$110,000
Total M/WBE Participation		\$110,000 (16.32%)

Sheena Ferguson 5.30.2024

The third low bid was submitted by Close Construction Services, LLC who reported 1.23% in M/WBE participation on their Contract and Subcontract Goal Participation Schedule Form which contained an error message. Therefore, it did not appear the bidder met the M/WBE participation goal, **per the Ordinance requirement.**

If the M/WBE participation goal is not achieved bidders are required to demonstrate that they have submitted Good Faith Effort, **per the M/WBE Ordinance requirement.**

Therefore, on May 20, 2024, the Business Development Division issued a Request for Clarification requesting that the bidder submit:

- The Contract and Sub-Contract Goal Participation Schedule Form ensuring Section 1, Section 2 and Section 3 Form equates to their Total Bid Amount/Proposal Amount.
- Documentation demonstrating Good Faith Effort Actions #1, #2, #3, #4, and #5.

On May 21, 2024, the bidder responded and submitted:

- The Contract and Sub-Contract Goal Participation Schedule Form ensuring Section 1, Section 2 and Section 3 Form equated to their Total Bid Amount/Proposal Amount.
- Documentation demonstrating Good Faith Effort Actions #1, #2, #3, #4 and #5.

Based on their response, the bidder met the Good Faith Effort requirement.

Please note the following certified M/WBE participation:

MBE-HM	EM Paving Corporation	\$9,600
Total M/WBE Participation		\$9,600 (1.23%)

Our evaluation of these bids was based on the participation listed on the Contract and Subcontract Goal Participation Schedule Form and the Good Faith Effort Form. 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