



## BUSINESS DEVELOPMENT DIVISION

January 7, 2025

TO: Gerson Gonzalez, Contracting Agent  
Procurement Division

FROM: Kambria Anderson, Senior Contract Administrator  
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT: Y25-711 Parks Barnett Park New 100 Ton Redundant Chiller**

The Business Development Division evaluated the three bids submitted for this project. The Business Development Division (BDD) completed an 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 108 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Air Mechanical Service Corp., reported 21.71% in M/WBE participation. Therefore, the bidder did not meet the 25% Orange County M/WBE participation goal, **per the Ordinance requirement.**

If the M/WBE participation goal is not met, bidders are required to demonstrate Good Faith Effort, **per the M/WBE Ordinance requirement.** The bidder provided documentation showing completion of Actions #1 through #5 and indicated that they have historically performed the mechanical scope, which they intend to handle in-house for this project, as outlined on the Good Faith Effort Form. However, the bidder did not fully complete the form, specifically failing to include the percentage of the total goal for the historically performed scope.

On December 23, 2024, the Business Development Division issued a Request for Clarification requesting that the bidder submit a fully completed Good Faith Effort Form.

On December 26, 2024, the bidder responded with a fully completed Good Faith Effort Form.

The bidder indicated they have historically performed (35% In-house) the scope of services denoted on the Good Faith Effort Form. **Per the Ordinance, Sec. 17-321**, A prime contractor is not required to subcontract out work that it has historically and consistently performed with its own work force.

Sheena Ferguson 1.8.2025

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Please note the bidder's certified M/WBE participation:

MBE-HM	First Option Insulation, Inc.	\$65,708.51
MBE-HM	Rey's Concrete, Inc.	\$80,900.00
MBE-AFAM	Celectsys, Inc.	\$192,500.00
<b>Total M/WBE Participation</b>		<b>\$339,108.51 (21.71%)</b>

In the chart above, the bidder demonstrates 21.71% M/WBE participation. Good Faith Effort was achieved for the remaining 43.29% of scopes of services available for this project for by the bidder.

The second low bid was submitted by Orange County Certified Minority Business Enterprise, Comfort Aircon, Inc. who is bidding as a prime. Therefore, Comfort Aircon, 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 25% M/WBE goal. Comfort Aircon, Inc. reported self-performing 51.39% on the Contract and Subcontract Goal Participation Schedule Form. Therefore, it appeared the bidder met the 25% Orange County M/WBE participation goal, **per the Ordinance requirement**. However, the Form contained errors that needed to be corrected.

On December 29, 2024, BDD issued the bidder a Request for Clarification and requested:

- 1) The Contract and Sub-Contract Goal Participation Schedule Form
  - Please ensure each proposed M/WBE Subcontractor is actually certified with Orange County Government and that your firm specifies each subcontractor's scope of services in detail.
  - Please ensure the Form is free of errors.
- 2) A Good Faith Effort Form (alternatively if the M/WBE Goal was not achieved)

On December 30, 2024, the bidder responded with:

- 1) An updated Contract and Sub-Contract Goal Participation Schedule Form listing a proposed M/WBE firm that was not actually Orange County M/WBE Certified
- 2) M/WBE Certificates for the Prime firm and one of the listed M/WBE Certified firms

Please note the following certified M/WBE participation:

MBE-AM	Comfort Aircon, Inc.	\$815,000
	D'Novo Services*	\$230,000
MBE-HM	APD Construction, LLC	\$31,148.85
<b>Total M/WBE Participation</b>		<b>\$846,148.85 (53.35%)</b>

\*The listed firm was not Orange County M/WBE certified at the time of bid opening.

The chart above demonstrates the bidder met the 25% Orange County M/WBE participation goal, **per the Ordinance requirement**.

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The third low bid submitted by Poli Construction, Inc. reported 25.67% in M/WBE participation. Therefore, the bidder met the 25% Orange County M/WBE participation goal, **per the Ordinance requirement**. However, the bidder erroneously listed themselves as an Orange County Certified M/WBE firm and did not specify the scope of services they would be self-performing on the Contract and Subcontract Goal Participation Schedule Form.

On December 23, 2024, BDD issued the bidder a Request for Clarification as follows:

- 1) The Contract and Sub-Contract Goal Participation Schedule Form
  - Please ensure each proposed M/WBE firm is actually certified with Orange County Government.
  - Please ensure that each actual scope for all firms is stated – “General Contractor” is insufficient.
  - Please ensure that your firm completes the Form in its entirety.
- 2) A Good Faith Effort Form (alternatively if the M/WBE Goal was not achieved)

On December 26, 2024, the bidder responded with:

- 1) An updated Contract and Sub-Contract Goal Participation Schedule Form removing their designation as an Orange County certified M/WBE firm and a revision to their scope of services to “General Contractor, Project Management and Supervision”

Please note the bidder’s certified M/WBE participation:

MBE-HM	APD Construction, LLC	\$39,321.00
WBE-WF	Florida Surety Bonds	\$28,157.00
MBE-AM	Power Engineering Group, Inc.	\$220,000.00
MBE-AFAM	RZ Service Group, LLC	\$187,250.00
<b>Total M/WBE Participation</b>		<b>\$474,728.00 (25.67%)</b>

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.