



April 25, 2024

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

The image shows a handwritten signature in black ink, which appears to be "Carrie Mathes".

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

Contact: Terry Devitt, Deputy Director, Orange County Convention Center
407-685-9867

Subject: Award of Invitation for Bids Y24-757-CC, Orange County Convention
Center Chapin Theater Finishes and Stage Upgrades Project

ACTION REQUESTED:

Approval to award Invitation for Bids Y24-757-CC, Orange County Convention Center Chapin Theater Finishes and Stage Upgrades Project, to the low responsive and responsible bidder, The Whiting-Turner Contracting Company, in the total contract award amount of \$6,222,050.

PROCUREMENT:

Work under this contract involves the replacement of interior finishes, stage floor and orchestra pit system, and theater seating located within the Chapin Theater at the Convention Center. The project is located in District 6.

FUNDING:

Funding is available in account number 4430-035-0966-6210.

APPROVALS:

The Convention Center and Business Development Division concur with this recommendation.

REMARKS:

Three bids were received in response to the Invitation for Bids (IFB) and evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by American Harlequin Corporation was deemed non-responsive for failing to submit a bid bond. The bid submitted by Kirwin & Simpson Limited was deemed non-responsive for qualifying their bid with additional terms and conditions and failing to submit a bid bond. References provided were satisfactory for this type of work and The Whiting-Turner Contracting Company has been determined to be responsible. Therefore, award is recommended to The Whiting-Turner Contracting Company.

Award Invitation for Bids Y24-757-CC, Orange County Convention Center Chapin
Theater Finishes and Stage Upgrades Project
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The bid tabulation is as follows:

Bidder	Bid Total
The Whiting-Turner Contracting Company	\$6,222,050
American Harlequin Corporation	Non-Responsive
Kirwin & Simpson Limited	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

April 12, 2024

TO: Corrie Cummings, Contracting Agent
Procurement Division

FROM: Kambria Anderson, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation

PROJECT: **Y24-757-CC, OCCC West Building Chapin Theater Finishes and Stage Upgrades**

The Business Development Division (BDD) evaluated the sole bid submitted for this project and completed a Minority/Women Business Enterprise (M/WBE) Availability Analysis. The M/WBE goal remained at 25%. At the time of bid opening, at least 73 M/WBE firms were certified to provide the scope of services at the subcontract level.

The bid was submitted by The Whiting-Turner Contracting Company, who initially reported 42.65% M/WBE participation. However, the bidder erroneously listed firms who were not Orange County Certified M/WBE firms on their Contract Subcontract Participation Schedule Form (Form) - as Orange County Certified M/WBE firms. Additionally, the bidder did not state the specific scope of services their firm would provide for this project and did not state who the Form was approved by.

Therefore, BDD issued the bidder a Request for Clarification on April 7, 2024, to update, correct and/or supplement the following:

- Contract Subcontract Participation Schedule Form

Sheena Ferguson 4.19.2024

On April 9, 2024, the bidder responded and submitted the following:

- Contract Subcontract Participation Schedule Form
- Good Faith Effort Form
- Equal Employment Opportunity Workforce Schedule

The firm reported 0% M/WBE participation; therefore, the bidder did not meet the M/WBE goal **per the M/WBE 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.** The bidder submitted documentation demonstrating that they completed each of the Good Faith Effort Actions #1, #2, #3, #4 and #5.

Our evaluation of this bid was based on the participation listed on the Contract and Subcontract Goal Participation Schedule Form and Good Faith Effort Form. Attached is a spreadsheet reconciling the bidder's compliance with the Invitation for Bid's M/WBE requirements, including the percentage breakdown for the bidder.

Also, I confirm my recommendation is free of conflicts of interest.

cc: Sheena Ferguson, Manager, Business Development Division

BID COMPARISON**Y24-757-CC, OCCC West Building Chapin Theater Finishes and Stage Upgrades**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 25%)	GFE	EEO % M / W
Low Bid	The Whiting-Turner Contracting Company	\$6,222,050.00	\$0.00	0.00%	YES	19 / 24