



May 8, 2023

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

C. Mathes

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 Y23-756-ZR, John Bridges Community
Center Buildings Interior and Site Lighting LED Upgrade

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-756-ZR, John Bridges Community Center Buildings Interior and Site Lighting LED Upgrade, to the low responsive and responsible bidder, Control Engineering Group, in the total contract award amount of \$228,695.

In the event the bidder recommended above fails to achieve timely compliance with pre-award deliverables, as defined in the Invitation for Bids, including, but not limited to, M/WBE participation sub-contract agreements, State Division of Corporations registration, E-verify, insurance and bonds, further request authorization for the Procurement Division to award to the next low responsive and responsible bidder as listed in the bid tabulation herein, to the extent practicable and advantageous to the County.

PROCUREMENT:

Work under this contract consists of the upgrade of existing fluorescent light fixtures throughout the site and each building replacing with Light-Emitting Diode fixtures, providing lighting controls via occupancy sensors and relay panels. The project is located in District 2.

FUNDING:

Funding is available in account number 1023-043-2050-3810.

APPROVALS:

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

REMARKS:

Six bids were received in response to the Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by Big Shine Worldwide, Inc. dba Big Shine Energy 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 good faith effort documentation was not provided. The bid submitted by Control Engineering Group is considered reasonable based on current market conditions. References provided were satisfactory for this type of work and Control Engineering Group has been determined to be responsible. Therefore, award is recommended to Control Engineering Group.

The bid tabulation is as follows:

Bidder	Total Bid Amount
Control Engineering Group	\$228,695
A & K Energy Conservation, Inc.	\$340,000
Oelrich Construction, Inc.	\$345,337
S.A. Casey Construction	\$430,000
Archis Inc. dba Archis Technologies	\$642,002
Big Shine Worldwide, Inc. dba Big Shine Energy	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

April 18, 2023

TO: Zuleimy Ralat Perez, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y23-756-ZR / John Bridges Community Center Buildings Interior and Site Lighting LED Upgrade**

The Business Development Division evaluated the three 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 was reduced from 25% to 23%. At the time of bid opening; at least 29 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Orange County MBE firm Control Engineering Group is bidding as a Prime contractor. Therefore, Control Engineering Group 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 23% M/WBE goal. Control Engineering Group. reported self-performing 64.49% with 0% subcontractor's participation. They met the 23% M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	Control Engineering Group	\$147,480.80
Total MWBE Participation		\$147,480.80 (64.49%)

Sheena Ferguson

Interoffice Memorandum

The second low bid, submitted by Big Shine Worldwide, Inc. dba Big Shine Energy, reported 0% in M/WBE participation. While they listed Simple Fix HVAC Professionals, LLC in their bid the company is not an Orange County certified M/WBE company.

Business Development issued a Submittal of Clarification email request on April 10, 2023, for the second low bidder to submit:

- Subcontractor’s scope of classification and scope of Services omitted on Contract and Sub-Contract Goal Participation Schedule form
- Good Faith Effort Form Action #1, #2, #3, #4, #5

On April 12, 2023, the second low bidder provided no response.

Therefore, no additional M/WBE participation can be included. The M/WBE participation will remain at 0% and doesn’t 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.

Please note the following not confirmed M/WBE participation:

Not Orange County Certified	<i>Simple Fix HVAC Professionals, LLC*</i>	<i>\$75,000</i>
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* At the time of bid the firm was not Orange County Certified.

The third low bid, submitted by A & K Energy Conservation, Inc., reported 0% in M/WBE participation.

Business Development issued a Submittal of Clarification email request on April 10, 2023, for the third low bidder to submit:

- Prime contractor’s scope of classification and scope of Services omitted on Contract and Sub-Contract Goal Participation Schedule form
- Subcontractor’s scope of classification and scope of Services omitted on Contract and Sub-Contract Goal Participation Schedule form
- Good Faith Effort Form Action #1, #2, #3, #4, #5

On April 11, 2023, the third low bidder responded and submitted:

- A Contract and Sub-Contract Goal Participation Schedule form
- Good Faith Effort Form
- Good Faith Effort Action #1- No documentation submitted
- Good Faith Effort Action #2- No documentation submitted
- Good Faith Effort Action #3- No documentation submitted
- Good Faith Effort Action #4- No documentation submitted
- Good Faith Effort Action #5- No documentation submitted

Interoffice Memorandum

The bidder did not meet the Orange County M/WBE participation goal of 23% and indicated in their bid that they have historically performed all of the other scope of services listed in the bid form 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.

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**Y23-756-ZR / John Bridges Community Center Buildings Interior and Site Lighting LED Upgrade**

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 23%)	Total MWBE %	GFE	EEO % M / W
Low Bid	Control Engineering Group	\$228,695.00	\$147,480.80	\$0.00	64.49%	0.00%	64.49%	N/A	63 / 13 %
2nd Low	Big Shine Worldwide, Inc. d/b/a Big Shine Energy	\$246,054.50	\$0.00	\$0.00	0.00%	0.00%	0.00%	No	70 / 40 %
3rd Low	A & K Energy Conservation, Inc.	\$340,000.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	N/A	19 / 26 %