



Legislation Text

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**File #:** 24-1025, **Version:** 1

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**Interoffice Memorandum**

**DATE:** July 2, 2024

**TO:** Mayor Jerry L. Demings and County Commissioners

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

**CONTACT:** Troy Layton, P.E., Manager II, Utilities Field Services Division

**PHONE:** 407-254-9794

**SUBJECT:** Award of Invitation for Bids Y24-1005-ZR, Wastewater Gravity Cleaning and CCTV Term Contract

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y24-1005-ZR, Wastewater Gravity Cleaning and CCTV Term Contract, to the low responsive and responsible bidder, Hydromax USA LLC in the estimated contract award amount of \$5,593,070 for a two-year term. Further request authorization for the Procurement Division to renew the contract for three additional one-year terms.

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. ([Utilities Department Field Services Division] Procurement Division)

**PROCUREMENT:**

This contract will provide cleaning and closed-circuit televising of wastewater gravity piping systems. The project is located in all districts.

**FUNDING:**

Funding is available in account numbers 4420-038-1347-3843.

**APPROVALS:**

The Utilities Field Services and Business Development Divisions concur with this recommendation.

**REMARKS:**

Seven bids were received in response to the Invitation for Bids (IFB) and were evaluated for responsiveness, responsibility, and price reasonableness. EnviroWaste Services Group, Inc. and Southeast Pipe Survey were deemed non-responsive for failure to provide a complete Bid Bond form as prescribed in the IFB. Insituform Technologies, LLC 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 received from Hydromax USA LLC is considered reasonable based on the engineer's estimate. References provided were satisfactory for this type of work. Hydromax USA LLC has been determined to be responsible. Therefore, award is recommended to Hydromax USA LLC.

The bid tabulation is as follows:

<b><u>Bidder</u></b>	<b><u>1-Year Bid Total</u></b>	<b><u>2-Year Initial Term Bid Total</u></b>
Hydromax USA LLC	\$2,796,535	\$5,593,070
National Water Main Cleaning Company	\$3,777,650	\$7,555,300
Flotech Environmental, LLC	\$4,159,616	\$8,319,232
Inliner Solutions, LLC	\$4,985,150	\$9,970,300
EnviroWaste Services Group, Inc.	Non-Responsive	
Insituform Technologies, LLC	Non-Responsive	
Southeast Pipe Survey	Non-Responsive	



**BUSINESS DEVELOPMENT DIVISION**

May 9, 2024

TO: Zuleimy Ralat Perez, Contracting Agent  
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator  
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT: Y24-1005-ZR, Wastewater Gravity Cleaning and CCTV**

The Business Development Division evaluated the three lowest bids submitted for this project. The Business Development Division completed an M/WBE Availability Analysis. The scope of services for this project had M/WBE availability. As a result, the M/WBE goal is 24%. At the time of bid opening, at least seven firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Hydromax USA LLC reported 24% in M/WBE participation. The apparent low bidder met the Orange County M/WBE participation goal of 24% **per Ordinance**.

Business Development issued a Submittal of Clarification email request on May 9, 2024, for the apparent low bidder to submit:

- The Prime Contractors (Bidder) Equal Opportunity Workforce (EOW) Schedule.

On May 9, 2024, the apparent low bidder responded and submitted:

- The Prime Contracts (Bidder) Equal Opportunity Workforce (EOW Schedule).

Please note the following certified M/WBE participation:

M/WBE-AF(Pac)	Ace Staffing, Inc.	\$1,342,336.80
<b>Total MWBE Participation</b>		<b>\$1,342,336.80</b>

*Sheena Ferguson 7.11.2024*

The apparent second low bid, submitted by Insituform Technologies, LLC reported 0% in M/WBE participation and did not meet the Orange County M/WBE participation goal of 24% **per Ordinance**. The bidder indicated that they have historically performed the scope of services.

Business Development issued a Submittal of Clarification email request on May 9th and 13th 2024, for the apparent second low bidder to submit:

- Good Faith Efforts criteria #1 and GFE Exception.

On May 10<sup>th</sup> and 13<sup>th</sup>, 2024, the apparent second low bidder responded and submitted:

- Partial Good Faith Effort criteria #1 and GFE Exception

The bidder indicates in their bid that they have historically performed and consistently performed 99% of various scopes of services listed in the bid form on pages 10 to 12. Per the Ordinance, Sec. 17-321, the prime contractor is not required to subcontract out work that it has historically and consistently performed with its own workforce. Good Faith Effort documentation was not achieved on the remaining 1% of the scopes of services.

The apparent third low bid, submitted by National Water Main Cleaning Company reported .28% in M/WBE participation and did not meet the Orange County M/WBE participation goal of 24% **per Ordinance**. The bidder indicated that they have historically performed the scope of services.

Business Development issued a Submittal of Clarification email request on May 9, 2024, for the apparent third low bidder to submit:

- Good Faith Efforts criteria #1 – submit emails including iv; v (the bid due date to the county) and vi. Also, submit #4 – submit ALL quotations from non-MWBE's (comparable quotes) documentation.

On May 10, 2024, the apparent third low bidder responded and submitted:

- Resubmitted criteria #1. The same emails excluding iv; v and vi
- A letter was submitted to explain why quotes for non-M/WBE's were obtained.

The apparent third low bidder indicates that they have historically and consistently performed 100% of various scopes of services listed in the bid form on pages 10 to 12. Per the Ordinance, Sec. 17-321, the prime contractor is not required to subcontract out work that it has historically and consistently performed with its own workforce, **per the Ordinance when the M/WBE goal is not achieved.**

Please note the following certified M/WBE participation:

WBE-WF	Flash-Rite	\$21,500
<b>Total MWBE Participation</b>		<b>\$21,500</b>

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 the bidder and a comparison of the relative bid versus participation percentage.

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

c: contract file

**BID COMPARISON****IFB-Y24-1005-ZR, Wastewater Gravity Cleaning and CCTV**

<b>Rank</b>	<b>Bidder</b>	<b>Bid Amount</b>	<b>M/WBE \$'s in Bid</b>	<b>% M/WBE (Goal 24%)</b>	<b>GFE</b>	<b>\$ Over Low Bid</b>	<b>% Differenc e From Low Bid (3%)</b>	<b>\$ Over 2nd Low Bid</b>	<b>% Differenc e From 2nd Low Bid</b>	<b>EEO M / W</b>
Low Bid	Hydromax USA LLC	\$5,593,070	\$1,342,336.80	24%	N/A					0%/0%
2nd Low	Insituform Technologies, LLC	\$6,186,400	\$0	0%	No	\$593,330	10.61%			38%/11%
3rd Low	National Water Main Cleaning Company	\$7,555,300	\$21,500	0.28%	N/A	\$1,962,230	35.08%	\$1,368,900	22.13%	72%/11%