



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 24-1067, **Version:** 1

Interoffice Memorandum

DATE: July 8, 2024

TO: Mayor Jerry L. Demings and County Commissioners

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

CONTACT: Sara Flynn-Kramer, Manager II, Capital Projects Division

PHONE: 407-836-0048

SUBJECT: Award of Invitation for Bids Y24-743-RC, Fire Station #52 Restroom Renovation

ACTION REQUESTED:

Approval to award Invitation for Bids Y24-743-RC, Fire Station #52 Restroom Renovation, to the low responsive and responsible bidder S.A. Casey Construction, Inc. in the total contract award amount of \$315,000.

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, 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. ([Administrative Services Department Capital Projects Division] Procurement Division)

PROCUREMENT:

The scope of work for this project consists of the renovation of the men's restrooms to become three individual, unisex restrooms. Scope also includes refinishing the existing hallway restroom as described in the drawings and specifications for the solicitation. The project is located in District 6.

FUNDING:

Funding is available in account number 1023-034-0772-3810.

APPROVALS:

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

REMARKS:

Eight bids were received in response to the Invitation for Bids and were evaluated for

responsiveness, responsibility, and price reasonableness. Sky Builders USA, LLC. was deemed non-responsive for failing to submit a fully executed Bid Bond. Concept Design Build LLC, FSV Construction Company, JJ Pro Management LLC, and Orange Avenue Construction were deemed non-responsive by the Procurement Division based on the analysis provided by the Business Development which identified that the M/WBE participation goal was not achieved, and sufficient good faith effort documentation was not provided. PeakCM, LLC has withdrawn their bid by declining to extend their irrevocable offer. The bid submitted from S.A. Casey Construction, Inc. is considered reasonable based on comparison to the engineer's estimate. References provided were satisfactory for this type of work and S.A. Casey Construction, Inc. has been determined to be responsible. Therefore, the award is recommended to S.A. Casey Construction, Inc.

The bid tabulation is as follows:

Bidder:	Bid Total
S.A. Casey Construction, Inc.	\$315,000.00
CORE Engineering & Construction, Inc.	\$346,046.59
Concept Design Build LLC	Non- Responsive
FSV Construction Company	Non- Responsive
JJ Pro Management LLC	Non- Responsive
Orange Avenue Construction	Non- Responsive
SkyBuilders USA, LLC	Non- Responsive
PeakCM, LLC	Withdrawn



BUSINESS DEVELOPMENT DIVISION

April 5, 2024

TO: Rochelle Chambers, Contracting Agent
Procurement Division

FROM: Kambria Anderson, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation

PROJECT: **Y24-743-RC, ORANGE COUNTY FIRE AND RESCUE FIRE STATION #52 RESTROOM RENOVATION**

The Business Development Division evaluated each of the 7 bids submitted for this project and completed a Minority/Women Business Enterprise (M/WBE) Availability Analysis. The M/WBE goal was 25%. At the time of bid opening, at least 62 M/WBE firms were certified to provide the scope of services at the subcontract level.

The apparent low bid was submitted by Concept Design Build, LLC., who reported 0% M/WBE participation in their proposal. Therefore, the bidder did not meet the 25% M/WBE participation 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**.

Therefore, on March 27, 2024, BDD submitted a Request for Clarification to the bidder requesting addition, supplementation and/or correction to the following forms:

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

Sheena Ferguson 4.10.2024

The bidder did not respond timely to the Request for Clarification. The bidder did not report any M/WBE participation and did not meet the Good Faith Effort requirement.

The second low bid was submitted by FSV Construction Company, who reported 17.25% M/WBE participation in their proposal. Therefore, the bidder did not meet the 25% M/WBE participation 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**.

Therefore, on April 1, 2024, BDD submitted a Request for Clarification to the bidder requesting the following forms:

- ✚ Contract and Subcontract Goal Participation Schedule Form
- ✚ Good Faith Effort Form (If the firm did not achieve the M/WBE Goal for this specific project)

On April 3, 2024, the bidder responded by submitting the following revised forms:

- ✚ Contract and Subcontract Goal Participation Schedule Form
- ✚ Good Faith Effort Form

The bidder attempted to change the M/WBE subcontractors listed on their Contract and Subcontract Goal Participation Schedule Form to meet the M/WBE Goal. However, this is unpermitted as the Bid Proposals were due February 22, 2024.

Additionally, the bidder did not submit documentation demonstrating that they completed each of the Good Faith Effort Actions #1, #2, #3, #4 and #5.

Please note the following certified M/WBE participation listed in the bidder's initial Contract and Subcontract Goal Participation Schedule Form:

MBE-AFAM	Lenard Bell Painting, Inc.	\$31,250
WBE-WF	Evans Material Solutions, Inc.	\$7,500
Total M/WBE Participation		\$38,750 (17.25%)

The third low bid was submitted by JJ Pro Management, LLC., who reported 51.21% M/WBE participation in their proposal. However, the bidder erroneously listed firms as being Orange County M/WBE certified who were not actually certified.

Therefore, on March 27, 2024, BDD submitted a Request for Clarification to the bidder requesting the following:

- ✚ Contract and Subcontract Goal Participation Schedule Form
- ✚ Good Faith Effort Form (If the firm did not achieve the M/WBE Goal for this specific project)

On March 29, 2024, the bidder responded by submitting the following revised form:

- ✚ Contract and Subcontract Goal Participation Schedule Form

The bidder attempted to change the M/WBE subcontractors listed on their Contract and Subcontract Goal Participation Schedule Form to meet the M/WBE Goal. However, this is unpermitted as the Bid Proposals were due February 22, 2024.

Additionally, the bidder did not submit documentation demonstrating that they completed each of the Good Faith Effort Actions #1, #2, #3, #4 and #5.

Please note the proposed certified M/WBE participation listed in the bidder's initial Contract and Subcontract Goal Participation Schedule Form:

	*JJ Pro Management, LLC	\$118,942.17
	*Total Service Air Conditioning and Heating, LLC.	\$25,000
Total M/WBE Participation		\$143,942.17 (51.21%)

***Firm was not Orange County M/WBE Certified at the time of bid opening.**

The fourth low bid was submitted by Orange Avenue Construction, who reported 0% M/WBE participation in their proposal. Therefore, the bidder did not meet the 25% M/WBE participation goal, **per the M/WBE Ordinance** requirement.

Consequently, on March 27, 2024, BDD submitted a Request for Clarification to the bidder requesting the following:

- ✚ Contract and Subcontract Goal Participation Schedule Form
- ✚ Good Faith Effort Form (If the firm did not achieve the M/WBE Goal for this specific project)

On March 28, 2024, the bidder responded by submitting the following forms:

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

The bidder did not report any M/WBE participation. 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 did not submit documentation demonstrating that they completed each of the Good Faith Effort Actions #1, #2, #3, #4 and #5.

The fifth low bidder PeakCM, LLC., erroneously completed the Contract and Subcontract Goal Participation Schedule Form.

Therefore, on April 1, 2024, BDD submitted a Request for Clarification to the bidder requesting the following forms:

- ✚ Contract and Subcontract Goal Participation Schedule Form
- ✚ Good Faith Effort Form (If the firm does not achieve the M/WBE Goal for this specific project)

On April 2, 2024, the bidder responded by submitting the following forms:

- ✚ Contract and Subcontract Goal Participation Schedule Form
- ✚ Good Faith Effort Form

The bidder demonstrated 30.78% M/WBE participation in their proposal. Therefore, the bidder met the 25% M/WBE participation goal, **per the M/WBE Ordinance requirement**.

Please note the following certified M/WBE participation listed in the bidder’s Contract and Subcontract Goal Participation Schedule Form:

WBE-HF	Streamline Commercial Interiors	\$7,933
WBE-WF	Lavendar Lady Plumbing Co., Inc.	\$66,600
	*Door & Hardware Openings, Inc.	\$2,703.50
Total M/WBE Participation		\$74,533 (30.78%)

***Firm was not Orange County M/WBE Certified at the time of bid opening.**

The sixth low bid was submitted by S.A. Casey Construction, Inc., who reported 30.52% M/WBE participation in their proposal. Therefore, the bidder met the 25% M/WBE participation goal, **per the M/WBE Ordinance requirement**.

Please note the following certified M/WBE participation listed in the bidder’s Contract and Subcontract Goal Participation Schedule Form:

WBE-WF	Lavendar Lady Plumbing Co., Inc.	\$66,600
MBE-HM	M&M Electric Central Florida, Inc.	\$29,534
Total M/WBE Participation		\$96,134 (30.52%)

The seventh low bid was submitted by Core Engineering and Construction, Inc., who reported 31.88% M/WBE participation in their proposal. However, the bidder erroneously

listed firms as being Orange County M/WBE certified who were not actually certified. The bidder's confirmed M/WBE participation is 27.34%. Therefore, the bidder met the 25% M/WBE participation goal, **per the M/WBE Ordinance** requirement.

Please note the following certified M/WBE participation listed in the bidder's Contract and Subcontract Goal Participation Schedule Form:

MBE-HM	Precision Construction, LLC.	\$12,272
	*D&R Cabinetry and Millwork, Inc.	\$7,180
MBE-AFAM	Capital Power, Inc.	\$16,350
WBE-WF	Lavendar Lady Plumbing Co., Inc.	\$66,000
	*SimpleFire, LLC.	\$8,521
Total M/WBE Participation		\$95,222 (27.34%)

***Firm was not Orange County M/WBE Certified at the time of bid opening.**

Our evaluation of these bids was based on the Contract and Subcontract Goal Participation Schedule Form and the Good Faith Action 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

BID COMPARISON**Y24-743-RC, ORANGE COUNTY FIRE AND RESCUE FIRE STATION #52 RESTROOM RENOVATION**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 25%)	GFE	EEO % M / W
Low Bid	Concept Design Build LLC.	\$189,685.00	\$0.00	0.00%	NO	100 / 50
2nd Low	FSV Construction Company	\$224,630.00	\$38,750.00	17.25%	NO	100 / 50
3rd Low	JJ Pro Management, LLC.	\$232,262.00	\$0.00	0.00%	NO	100 / 25
4th Low	Orange Avenue Construction	\$235,000.00	\$0.00	0.00%	NO	25 / 25
5th Low	PeakCM, LLC	\$242,159.00	\$74,533.00	30.78%	N/A	63 / 37
6th Low	S.A.Casey Construction, Inc.	\$315,000.00	\$96,134.00	30.52%	N/A	39 / 22
7th Low	CORE Engineering and Construction, Inc.	\$346,046.59	\$94,622.00	27.34%	N/A	8 / 25