



June 5, 2023

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
407-836-0048

Subject: Award of Invitation for Bids Y23-785-CC, Courthouse Basement
Stormwater Improvements

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-785-CC, Courthouse Basement Stormwater Improvements, to the low responsive and responsible bidder, Valencia Construction Group, Inc., in the total contract award amount of \$426,625.

PROCUREMENT:

Work under this contract includes modifications to the access ramps of the Judges' parking area located at the courthouse basement, in order to manage and control the stormwater and to prevent flooding. The project is located in District 5.

FUNDING:

Funding is available in account number 1248-043-2069-3810.

APPROVALS:

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

REMARKS:

Four bids were received in response to the Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bid from Close Construction Services, 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 good faith effort documentation was not provided. The bid from Valencia Construction Group, Inc. is considered reasonable based on the engineer's estimate and current market factors. References provided were

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satisfactory for this type of work and Valencia Construction Group, Inc. has been determined to be responsible. Therefore, award is recommended to Valencia Construction Group, Inc. The budget can only support the lowest bidder.

The bid tabulation is as follows:

Bidder	Total Bid Amount
Valencia Construction Group, Inc.	\$426,625
Cathcart Construction Company	\$595,000
Prime Construction Group, Inc.	\$777,777
Close Construction Services, LLC	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

June 26, 2023

TO: Corie Cummings, Contracting Agent
Procurement Division

FROM: Kambria Anderson, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y23-785-CC Courthouse Basement Stormwater Improvements**

The Business Development Division evaluated the three lowest bids of the four submitted bids 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 **18%**. At the time of bid opening; at least 48 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Orange County MBE firm Valencia Construction Group is bidding as a Prime contractor. Therefore, Valencia Construction 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 18% M/WBE goal. Valencia Construction Group reported self-performing 89.09% with 0% M/WBE subcontractor's participation. They met the 18% M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-AM	Valencia Construction Group	\$380,075.00
Total MWBE Participation		\$380,075.00 (89.09%)

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The second low bid, submitted by Cathcart Construction Company, reported 25.04% in M/WBE participation. They met the 18% M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-HM	EM Paving Corporation	\$25,000.00
WBE- WF	Flash-Rite, Inc.	\$15,000.00
MBE-HM	On Point Surveying, Inc.	\$20,000.00
MBE -APIS	Sunrise Hauling & Excavating, Inc.	\$25,000.00
WBE-WF	JML Advertising, Inc.	\$1,500.00
MBE-HM	Diversified Supply, Inc.	\$62,500.00
Total MWBE Participation		\$149,000.00 (25.04%)

The third low bid, submitted by Close Construction Services, LLC., reported 2.74% in M/WBE participation and did not meet the 18% M/WBE participation goal **per the Ordinance requirement or provide Good Faith Effort documentation**.

Business Development issued a Submittal of Clarification email request on April 19, 2023, for the third low bidder to submit:

- A completed Good Faith Effort form to include all actions #1-5.

On April 20, 2023, the third low bidder responded with the following statement, “I regret to inform you that good faith effort was not performed on this project. By the time this project landed on my desk it was too late to complete the good faith effort in accordance with the bid documents as it was less than 7 days prior to the bid opening.”

The bidder did not address the Good Faith Effort request. The bidder did not meet the Orange County M/WBE participation goal of 18%.

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- 785-CC Courthouse Basement Stormwater Improvements**

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 18%)	GFE	\$ Over Low Bid	% Difference From Low Bid (%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO % M / W
Low Bid	Valencia Construction Group (MBE Prime)	\$426,625.00	\$380,075.00	89.09%	N/A					90 / 40%
2nd Low	Cathcart Construction Company	\$595,000.00	\$149,000.00	25.04%	N/A	\$168,375.00	39.47%			61 / 7%
3rd Low	Close Construction Services, LLC	\$759,676.00	\$20,840.00	2.74%		\$333,051.00	78.07%	\$164,676.00	27.68%	18 / 18%