




May 12, 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 Y23-768-GO, Downey Park Playground and
Fitness Equipment

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-768-GO, Downey Park Playground and Fitness Equipment, to the low responsive and responsible bidder, Sloan Builders, Inc., in the total contract award amount of \$645,000.

PROCUREMENT:

Work under this contract consists of removal of existing playground and related site improvements and construction of new play-ground equipment, resilient surfacing and associated fencing, furniture, and hardscape at Downey Park. The project is located in District 4.

FUNDING:

Funding is available in account number 1050-068-2100-3810.

APPROVALS:

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

REMARKS:

Four bids were received in response to this Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bid submitted by Legacy Construction Services Group Inc. DBA Pro Playgrounds 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. Sloan Builders, Inc. has a satisfactory record of performance for this type of work and has been determined to be responsible. Therefore, award is recommended to Sloan Builders, Inc.

Award of Invitation for Bids Y23-768-GO, Downey Park Playground and Fitness Equipment
Page 2

The bid tabulation is as follows:

Bidder:	Amount
Sloan Builders, Inc.	\$645,000.00
CORE Engineering & Construction, Inc.	\$665,434.30
S.A. Casey Construction	\$725,000.00
Legacy Construction Services Group Inc, DBA Pro Playgrounds	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

April 10, 2023

TO: Gian Carlo Otero, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y23-768-GO / Parks Downey Park Playground and Fitness Equipment (Base Bid)**

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 11%. At the time of bid opening; at least 45 firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Legacy Construction Services Group Inc, DBA Pro Playgrounds, reported 0% in M/WBE participation.

Business Development issued a Submittal of Clarification email request on March 29, 2023, for the 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 March 30, 2023, the 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

Sheena Ferguson

Interoffice Memorandum

- Good Faith Effort Action #3- No documentation submitted
- Good Faith Effort Action #4- No documentation submitted
- Good Faith Effort Action #5- No documentation submitted

The bidder did not meet the Orange County M/WBE participation goal of 11% and indicated in their bid that they have historically performed all of the other scope of services listed in the bid form on the Contract and Sub-Contract Goal Participation Schedule 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.

The second low bid, submitted by Sloan Builders, Inc., reported 11.47% in M/WBE participation.

Business Development issued a Submittal of Clarification email request on March 29, 2023, for the second low bidder to submit:

- Prime Contractors 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 March 30, 2023, the second low bidder responded and submitted:

- an updated Contract and Sub-Contract Goal Participation Schedule 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

The second low bid met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

MBE-AFAM	Sterling Silver Scape & Sod	\$12,500
WBE-WF	KMG Fence	\$13,665
WBE-WF	John B. Webb & Associates	\$11,825
MBE-AM	Central Hauling & Excavating	\$27,500
WBE-WF	Florida Surety Bonds	\$8,500
Total MWBE Participation		\$73,990 (11.47%)

The third low bid, submitted by CORE Engineering & Construction, Inc., reported 12.88% in M/WBE participation. The third low bid met the Orange County M/WBE participation goal **per the Ordinance requirement**. Please note the following certified M/WBE participation:

Interoffice Memorandum

MBE-HM	On Point Surveying	\$8,730
MBE-AFAM	Bid N Build Construction	\$54,962
WBE-WF	KMG Fence	\$13,665
MBE-AFAM	Sterling Silver Scape Sod	\$8,360
Total MWBE Participation		\$85,717 (12.88%)

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