



Interoffice Memorandum

November 5, 2021

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

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

Contact: Eduardo Avellaneda, M.S., P.E., Manager, Roads and Drainage Division
407-836-7875

Subject: Award of Invitation for Bids Y21-1081-R2, Orange County Infrastructure Repair and Replacement

ACTION REQUESTED:

Approval to award Invitation for Bids Y21-1081-R2, Orange County Infrastructure Repair and Replacement, to the low responsive and responsible bidders, RMS Constructors Group, LLC, in the estimated contract award amount of \$4,114,100 for the base year and Condor Construction Corp., in the estimated contract award amount of \$4,023,750 for the base year. Further request authorization for the Procurement Division to exercise option years one and two for each contract.

PROCUREMENT:

Work under these contracts will consist of the removal and replacement of existing damaged infrastructure including sidewalks, curb, gutter, driveway approaches, and pedestrian ramps. The work may consist of the construction of new sidewalk in areas where there is no previous sidewalk or removal of asphalt and include adding or removing excess soil to accommodate installation of concrete to designated elevation. Work will be issued on an as-needed basis throughout Orange County.

FUNDING:

Funding is available in account number 1002-072-2906-3816.

APPROVALS:

The Roads and Drainage and Business Development Divisions concur with this recommendation.

REMARKS:

Seven bids were received in response to this Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bids from Mercon Construction Company and C.A.P. Contracting, Inc. were deemed non-responsive for failure to achieve the M/WBE participation goal or provide sufficient good faith effort. Timely protests were filed by Condor Construction Corp., Schuller Contractors, Incorporated, and Stage Door II, Inc. Protests reviews were held by the Procurement Manager on October 14, 2021. The protests of Condor Construction Corp. and Stage Door II, Inc. were upheld and the protest of Schuller Contractors, Incorporated was denied. No appeals were received.

Multiple awards are necessary because the projected workload will exceed the capacity of a single contractor and are necessary to meet the requirements for multiple orders to be performed on an ongoing basis throughout the County. After achieving the minimum order requirements for each contract, the low cost contractor will be given the first opportunity to perform all work. The other contractor will be utilized in the event the low cost contractor is unable to perform within the required timeframe. RMS Constructors Group, LLC and Condor Construction Corp. have satisfactory records of performance for this type of work and have been determined to be responsible.

Bid tabulation is as follows:

RMS Constructors Group, LLC	Base Year: \$4,114,100 Option Year 1: \$4,114,000 Option Year 2: <u>\$4,114,000</u> Total Bid: \$12,342,100
Condor Construction Corp.	Base Year: \$4,023,750 Option Year 1: \$4,105,700 Option Year 2: <u>\$4,221,250</u> Total Bid: \$12,350,700
Huffman Inc. DBA NuWave Concrete	Base Year: \$4,328,600 Option Year 1: \$4,328,500 Option Year 2: <u>\$4,328,500</u> Total Bid: \$12,985,600
Stage Door II, Inc.	Base Year: \$4,345,100 Option Year 1: \$4,495,000 Option Year 2: <u>\$4,270,000</u> Total Bid: \$13,110,100
Schuller Contractors Incorporated	Base Year: \$7,414,300 Option Year 1: \$7,882,075 Option Year 2: <u>\$8,052,775</u> Total Bid: \$23,349,150
Mercon Construction Company	Non-Responsive
C.A.P. Contracting, Inc.	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

August 23, 2021

TO: Rolando Melo, Contracting Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y21-1081-R2, Orange County Infrastructure Repair
and Replacement (Revised)**

The Business Development Division evaluated the seven bids submitted for this project. The Business Development Division completed a 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 39 firms were certified to provide the scope of services at the subcontract level.

The apparent low bidder, submitted by RMS Constructors Group, LLC reported 25.12% in M/WBE participation and met the Orange County M/WBE participation goal of 24%. Please note the following certified M/WBE participation:

AF(Pac)	W.T. Comp, Inc.	\$3,100,000
Total MWBE Participation		\$3,100,000 (25.12%)

The apparent second low bidder, submitted by Condor Construction Corp. reported 25.18% in M/WBE participation. While they listed M/WBE Siles and Sons, German Delaware Inc., Flash-Rite, Inc., and Ortiz Concrete Inc in their bid; they did not specify their scopes of services on attachment C-2 and their M/WBE participation could not be confirmed. The bidder did not achieve good faith effort documentation.

Aheena Ferguson

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Please note the following certified M/WBE participation that was not confirmed:

*HM	Siles and Sons, Inc.	\$40,000
*HM	German Delaware Inc	\$1,200,000
*WF	Flash-Rite, Inc.	\$70,000
*HM	Ortiz Concrete Inc	\$1,800,000
Total MWBE Participation *(not confirmed)		\$3,110,000 (25.18%)

The apparent third low bidder, submitted by Huffman Inc. DBA NuWave Concrete reported 26.02% M/WBE participation and met the Orange County M/WBE participation goal of 24%. Please note the following certified M/WBE participation:

HM	Ortiz Concrete Inc	\$3,379,038
Total MWBE Participation		\$3,379,038 (26.02%)

The apparent fourth low bidder, submitted by Stage Door II, Inc. reported 0% M/WBE participation and did not meet the Orange County M/WBE participation goal of 24%. They did not achieve good faith effort documentation and failed to specify their in-house scopes of services, on attachment C-2.

The apparent fifth low bidder, submitted by Mercon Construction Company reported 27% M/WBE participation. While they listed M/WBE German Delaware Inc in their bid; they did not specify their scopes of services on attachment C-2. The M/WBE participation could not be confirmed. The bidder did not achieve good faith effort documentation. Please note the following certified M/WBE participation that was not confirmed:

*HM	German Delaware Inc	\$3,544,344
Total MWBE Participation *(not confirmed)		\$3,544,344 (27%)

The apparent sixth low bidder, submitted by C.A.P. Contracting, Inc., reported 0% M/WBE participation and did not meet the Orange County M/WBE participation goal of 24%. They did not achieve good faith effort documentation and failed to specify the in-house scopes of services on attachment C-2.

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The apparent seventh low bidder, submitted by Schuller Contractors Incorporated reported 30.19% M/WBE participation and met the Orange County M/WBE participation goal of 24%. Please note the following certified M/WBE participation:

AFAM	J L Wilson Concrete, Inc.	\$7,004,745
WF	Flash-Rite, Inc.	\$20,101
WF	L P Video Productions	\$10,800
AFAM	Paul E. Walsh Trucking, Inc.	\$14,070
Total MWBE Participation		\$7,049,716 (30.19%)

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.

c: contract file

BID COMPARISON										
IFB-Y21-1081-R2, Orange County Infrastructure Repair and Replacement										
Rank	Bidder	Bid Amount	M/WBE \$'s In Bid	% M/WBE (Goal 24%)	GFE	\$ Over Low Bid	% Difference From Low Bid (3%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO M / W
Low Bid	RMS Constructors Group, LLC	\$12,342,100	\$3,100,000	25.12%	N/A					0%/0%
2nd Low	Condor Construction Corp.	\$12,350,700	\$0	0.00%	No	\$8,600	0.07%			90%/90%
3rd Low	Huffman Inc. DBA NuWave Concrete	\$12,985,600	\$3,379,038	26.02%	N/A	\$643,500	5.21%	\$634,900	5.14%	100%/25%
4th Low	Stage Door II, Inc.	\$13,110,100	\$0	0%	No	\$768,000	6.22%	\$759,400	6.15%	0%/0%
5th Low	Mercon Construction Company	\$13,127,200	\$0	0%	No	\$785,100	6.36%	\$776,500	6.29%	33%/13%
6th Low	C.A.P. Contracting Inc.	\$17,401,350	\$0	0%	No	\$5,059,250	40.99%	\$5,050,650	40.89%	100%/0
7th Low	Schuller Contractors Incorporated	\$23,349,150	\$7,049,716	30.19%	N/A	\$11,007,050	89.18%	\$10,998,450	89.05%	44%/11%